



eCOMMONS

Loyola University Chicago
Loyola eCommons

Master's Theses

Theses and Dissertations

1935

The Influence of Jefferson's Domestic Policy on His Foreign Policy

Marion Dorsey
Loyola University Chicago

Follow this and additional works at: https://ecommons.luc.edu/luc_theses

 Part of the [History Commons](#)

Recommended Citation

Dorsey, Marion, "The Influence of Jefferson's Domestic Policy on His Foreign Policy" (1935). *Master's Theses*. 150.

https://ecommons.luc.edu/luc_theses/150

This Thesis is brought to you for free and open access by the Theses and Dissertations at Loyola eCommons. It has been accepted for inclusion in Master's Theses by an authorized administrator of Loyola eCommons. For more information, please contact ecommons@luc.edu.



This work is licensed under a [Creative Commons Attribution-Noncommercial-No Derivative Works 3.0 License](#).
Copyright © 1935 Marion Dorsey

THE INFLUENCE OF JEFFERSON'S DOMESTIC POLICY
ON HIS FOREIGN POLICY

BY

MOTHER MARION DORSEY, R.S.C.J.

A thesis submitted in partial fulfil-
ment of the requirements for
the degree of
Master of Arts
in
Loyola University

PREFACE

Jefferson's political principles are particularly interesting to every student of American history, embodying as they do, the fundamental theories of the Constitution. The structure of his whole political and democratic system was built upon his absolute conviction in the latent honesty and ability of the average man, that is, man, regardless of his whole social position, education, wealth and opportunities. This was the very core of his beliefs, if one could so term it. While all men were not qualified to exercise themselves the Executive Department, he thought all were qualified to name the person who would exercise it. They were not qualified to legislate but they chose the legislators. They were not all capable of judging questions of law, but they were fully qualified of judging questions of fact and they therefore formed the juries.

It was his belief in the rights of man and his willingness and devotion to put them into practice, that he came to be looked upon as the Apostle of Americanism. His first concern for man was the freedom to develop his capacities to the fullest extent, and this led Jefferson into wider fields, namely, the abolition of slavery, religious and political liberty, and education.

In his Inaugural Address with its amicable professions of harmony, Jefferson's full view of his own reforms could not be discovered. And to judge only of his inaugural addresses and annual messages, his administration seemed a colorless continuation of his two predecessors; but seen in the light of private correspondence, the difference is complete. His hatred for war, his passion for peace and his attachment to union and justice to all nations, had their supreme tests in the Louisiana Purchase, the Burr Trial and in the Embargo, and as we shall see, in each one, he met with more or less success. He expected to be thought wrong sometimes by those whose position did not command a view of the whole ground. In spite of disheartening criticisms and oppositions, he never wavered in his beliefs, and yet in face of these staunch principles, he was slow to act, thus provoking the more spontaneous characters. He remained true to his fundamental and grandest principles even though he broke secondary ones. He did not use an accent of command nor assume the bearing of a leader, and we might say, his influence was shadowy and mysterious. He communicated suggestions and opinions to those who believed in him and thus his plans were readily carried out.

The seeds sown at this period have developed into mighty growths, so that if Jefferson saw the Nation today, for which he labored, he would appeal to the people from the same standpoints, and the same principles, in defense of the same government by the people and for the people - the principles of true

ii

Democracy.

TABLE OF CONTENTS

Chapter	Page
I. THE SPOILS OF VICTORY	1
II. WAR CLOUDS	34
III. NEGOTIATIONS AND PURCHASE OF LOUISIANA.....	56
IV. AARON BURR	92
V. THE EMBARGO	126
BIBLIOGRAPHY	153

CHAPTER I

THE SPOILS OF VICTORY

"In the middle of the eighteenth century, there appeared in Virginia, a race of men so gifted and so notable as to mark with a deep impress the living history of the world.....

"Simultaneously, and as if they had been sent to meet them, sprang up events of deep moment; and a remarkable confrontation took place. A reciprocal influence ensued; the men helping to mould and shape the great events: the great events helping to mould and shape the great men.

"These men and these events made the United States, states united."¹

These introductory words of Lord Craigmule vividly depict the life-work of one member of this race from Virginia, who next to Washington, perhaps, is the most notable in our country and to whom America owes its highest tribute. Thomas Jefferson had formed principles of his own based on experience drawn from observations made in his political life. He was a theorist somewhat like Wilson with ideas rather finer than practicable. Unlike Washington or Adams, his predecessors to the presidency, who made good but general speeches, Jefferson outlined his platform from these principles, but in the course of events, domestic or foreign, he was obliged to modify his views. Each

step in his public life was his contribution, his share in making the United States, states united.

One may well wonder at his idealism after taking a glimpse of the United States in 1800. Henry Adams gives us a bird's-eye-view in these few words: "If Washington Irving was right, Rip Van Winkle, who woke from his long slumber about the year 1800, saw little that was new to him, except the head of President Washington where that of King George had once hung, and strange faces instead of familiar ones."² According to this, Rip Van Winkle would have noticed that "the footways or sidewalks were paved, like the crooked or narrow streets, with round cobble-stones, and were divided from the carriage ways only by posts and a gutter. The streets were almost unlighted at night, a few oil-lamps rendering the darkness more visible and the rough pavement rougher. Police hardly existed."³ The same author with others of that period tells us that old landmarks remained practically in the same position; the same bad roads and difficult rivers connecting the towns, stretched far into the wilderness. "A road in most cases was an Indian trail too narrow for a wagon but wide enough for travel on horse-back."⁴

1. (from p. 1) Lord Carigmyle, John Marshall in Diplomacy and in Law, New York and London: Charles Scribner's Sons, 1933, p. 3
2. Henry Adams, History of the United States, New York: Albert and Charles Boni, 1930, Charles Scribner's Sons, 1889, Vol. I, p. 24.
3. Ibid., p. 21
4. S.E. Forman, Our Republic, New York: The Century Company, 1923. p. 98.

We often read of travelers of this period, alighting and helping to pull their vehicles out of the mud. Such must have been the experience of Madam Sarah Knight who as Stephen Jenkins says at an earlier date (1704) "...made a trip from Boston to New York, and return, in order to attend to some business in which she was interested, and kept a journal of her experiences. She left Boston on Monday Oct. 2, 1704, at 3 P.M. and reached New Haven at 2 P.M. on Saturday, the sixth. She continued her journey to New York, arriving there on the ninth. She returned home after five months absence."⁵ She later conducted a school in Boston where Benjamin Franklin was a pupil. Perhaps the following lines which Madam Knight scratched on a pane of glass in Kemble Hall in Charleston, were an incentive to Benjamin Franklin, her pupil, when he became Postmaster General in 1753:

Through many toils and many frights
I have returned, poor Sarah Knight
Over great rocks and many stones
God has preserved from fractured bones.⁶

Franklin visited in the course of four years, all the post-offices of the country, paying close attention where improvements could be made. But even after this period, in 1794, Beveridge speaks of the length of time letters took to reach their destination: "Letters from Richmond Virginia to New York, often did not arrive until two months after they were sent."⁷

5. Stephen Jenkins, Old Boston Post Roads, New York: G.P. Putnam's Sons, London: Knickerbocker Press, 1913, 9.
6. Ibid., 9.
7. Albert J. Beveridge, Life of John Marshall, Cambridge, Boston

Road conditions such as these did not deter many thousands of Americans from crossing the Alleghanies and struggling bravely and valiantly with new difficulties peculiar to their new environments. When the United States extended to the Mississippi, Lisitzky says: "it made a great difference, which controlled New Orleans. If the farmers of the West, of Kentucky and Ohio, could not float their produce down the Mississippi into the Gulf of Mexico, they were lost. The overland roads were nothing but muddy trails."⁸ The English farmer who purchased land near New York, Philadelphia or Baltimore, discovered he could earn more money than in his native country but he was forced to work harder and suffered greater discomforts. The climate was trying, fever and disease carried off many; insects unknown to him before, and severe weather brought new risks to his crops; laborers were few and disinterested. "Nature" to sum up all in Adam's words: "was rather man's master than his servant, and the five million Americans struggling with the untamed continent seemed hardly more competent to their task than the beavers and buffalo which had for countless generations made bridges and roads of their own."⁹

One might wonder why traveling by sea were not more popular then but here again we must close our eyes to present day comforts that would have been Utopian dreams to our forefathers, and we must look upon the country with Rip Van Winkle's eyes.

7. (continued from p.3) and New York: Houghton, Mifflin Company and The Riverside Press, Copyright 1916, Vol. I, 265
8. Gene Lisitzky, Thomas Jefferson, New York: The Viking Press

Adams is again an authority on this subject and he tells us that: "...the ordinary sea-going vessel carried a freight of about two hundred and fifty tons; the largest merchant ships hardly reached four hundred tons; the largest frigate in the United States navy, the line-of-battle ship in disguise, had a capacity of fifteen hundred and seventy-six tons."¹⁰ Communication by water was as slow and irregular as in the earlier period. Shipping on the Atlantic had increased through demands made by European wars on those employed in foreign commerce but this led to no general improvement in navigation.

The voyage to Europe, it is said, was more comfortable than that from New York to Albany or through Long Island Sound to Providence. We who now cover long distances in a few hours, who can communicate by phone, wireless and radio to all parts of the world, who can enjoy the daily news while traveling in the middle of the Atlantic or Pacific, at the North or South Pole; and who enjoy the greatest comforts and luxuries of the ships on which we travel, may consider Adams' accounts or other historians of that period as fairy tales, when he tells us that there was no regular packet between New York and Albany. Those who contemplated the trip waited for the advertisement of the sailing date of the sloop, they supplied their own bedding and all other necessities. It was only in the nineteenth

8. (continued from p. 4) Inc., 18 East 48th Street, Copyright 1933, 290.

9. (continued from p. 4) Adams, Vol. I, 5.

10. Ibid.

century that Captain Elias Bunker became famous, by building the sloop, "Equipment," that made a regular trip on fixed days, for Albany. A week on the North River or on the Sound, was an experience not at all unknown to travelers.¹¹ These were not the conveniences of the Western traveler who after having bought a wagon and a team of horses to move his family and goods, furnished all that was necessary. The wagon served all purposes, means of travel by day, "hotel" or sleeping-car by night. A traveler, Imlaps by name, says that the ordinary rate of travel by day on one of these wagons, was a little short of twenty miles. It required eleven or twelve days travel from Alexandria, Virginia, to Red Stone Old Fort on the Monongahela River, and nearly twenty days from Philadelphia to Pittsburg.¹²

In the Northwest, the pioneers found the rivers their only roads. This great system admired by the new settlers was one of the finest in the world. In his account of them Forman tells us that: "The early pioneers, however, at first could not make the best use of the rivers, for they had no boats that could carry heavy burdens and at the same time move swiftly and easily in narrow streams. As a result, crops could not be shipped to market and farmers raised more grain than they could sell."¹³

11. Ibid., 6.

12. Quoted in Our Republic by S.E. Forman, 221.

13. Ibid.

Besides these physical conditions of the country, there were others which claimed Jefferson's attention which concerned the mental development of the country. New England had many manufactures but none on a large scale because the industrious and thrifty people could feed and clothe themselves by household industry. The newspapers, not well written, were not trustworthy. And Noah Webster says: "As to libraries, we have no such things. There are not more than three or four tolerable libraries in America, and these are extremely imperfect. Great numbers of the most valuable authors have not found their way across the Atlantic."¹⁴ The library which Franklin had founded in 1732 was still in existence, many smaller libraries in country towns, modelled on this one, contained only fifty or a hundred volumes "...but all the public libraries in the United States - collegiate, scientific or popular, endowed or unendowed - could hardly show fifty thousand volumes, including duplicates, fully one third being still theological."¹⁵ Because of this great deprivation, we can understand why Noah Webster, "although defending his countrymen from the criticisms of Dr. Priestley, ... admitted that 'our learning is superficial in a shameful degree, ... our colleges are disgracefully destitute of books and philosophical apparatus ... and I am ashamed to own that scarcely a branch of science can be fully investigated in America for want of books, especially original

14. Adams, I, 62.

15. Ibid., I, 61.

works."¹⁶

It was not that the people on the whole lacked ambitious desires for the intellectual life; there were parts of the Union where intelligence, wealth and education were in goodly proportion, but the resources of the country were such that they could not easily be converted to ready uses for rapid progress. If essentials of life were often lacking, it is natural to suppose intellectual development was impaired. The material means necessary to overcome the physical conditions were sadly wanting. As a rule, American capital was absorbed in shipping or agriculture, where it could not be suddenly withdrawn. No stock exchange existed, and no broker exclusively engaged in stock-jobbing, for there were few stocks.¹⁷

From an early date, our people had turned to navigation, an inclination brought, most likely, from the mother country, and it was in this necessary pursuit that most of the money was invested. Jefferson himself writing to Count Van Hagendorps says that our people have a natural taste for navigation and commerce, taking this from their mother country. It is the duty, therefore, of those who serve the public to calculate all measures on this datum. Our desire was to throw open all doors of commerce; but we could scarcely do it for others unless they did the same for us. He thought there was no probability that Europe would do it. He suggested the invention of a system

16. Ibid., I, 62.

17. Ibid., 27.

that would shackle them in our ports, as they did us in theirs.¹⁸

Writing the same year in a like strain, to John Jay, he mentions the universal decision of our people, in the necessity to take our share in the occupation of the ocean, and their habits already established induce them to ask that the sea be kept open to them. They also ask that the policy be followed, which will render them as great as possible. It was necessary therefore to consider their right in the transportation of commodities, and in short in all uses of the sea.¹⁹

As long as the nation followed this pursuit, Jefferson interested himself in it with his characteristic enthusiasm.

Even after his second term of office had expired, he wrote to Mr. Burwell approving of his convoy bill, because it assumed the maintenance of as many of our maritime rights as was necessary. At this time, Jefferson considered our coasting trade of the utmost importance, never to be yielded but with our existence. Next in importance was the carriage of our own productions in our own vessels, and the bringing back the finished products to the United States. This much he would protect vigorously, even to the point of the bayonet. But the advantages of our carrying for foreign lands did not compensate the risks it involved. The bill was a view the Constitution should have taken, Jefferson thought, because the Eastern states gave no assurance of protection by war. Another view

18. Letter to Count Van Hagendorp, Washington Ed., I, 465.
Ford Ed., 1785, X, 105.

19. Letter to John Jay, 1785, Washington, I, 404; Ford IV, 88.

of the bill was that we preferred to retire from the brokerage of other nations rather than to resort to war, and to confine ourselves then to the carriage and exchange of home products. "We defend that, if you touch it - it means war."²⁰

Thus it is evident from this letter that navigation was always in the ascendancy when we could in 1810, hold our place among other nations and defend our rights on the sea. While navigation prospered, manufacturing fell off, for nearly all the business people were trying to get into foreign traffic.

The growth of foreign trade created commercial communities in some states; and this led to another very important aspect of American history, the formation of parties which in 1800 had reached a critical point. Perhaps on no other subject was Jefferson so decided in his principles, and so enthusiastic as in the Republican cause.

After the treaty which separated Great Britain and the United States, there was no issue to divide upon until the question arose of replacing the loose confederation with a stronger bond. Of this government, Craigmyle says that Congress was not furnished with the wherewithal from the States "but was a mere conduct pipe for their niggardly and spasmodic doles. The States, as far as actual, practical, present, pressing needs were concerned were hardly even a federation. They formed a mere congeries of States, each of which mistook for independence a sturdy but stupid isolation; and each thought 20. To Mr. Burwell, February, 1810, V, 505.

too lightly of or thought nothing of that great nation which was in the agony of a glorious birth."²¹

In 1787-88, the Federalists were all those who desired to save the country from the chaos of government under the "Articles of Confederation." At the Constitutional Convention at Philadelphia (1787) James Madison opposed the New Jersey Plan which left the relation of State and Federal Government practically unchanged. "Proceeding to the consideration of Mr. Patterson's plan (N.J. plan)", the extract of the report of his speech, reads, "he stated the object of a proper plan to be twofold - first to preserve the Union; secondly, to provide a government that will remedy the evils felt by the states, both in their united and individual capacities."²² He further explained some evils that existed and would continue to exist by this plan - for instance, it was not right to allow one state to bring on war upon the whole nation with a foreign country. Furthermore, transactions had been made by certain states with the Indians, entering into treaties and wars with them, which power alone appertained to Congress. These few examples suffice to exemplify the struggles of the period.

An increasing demand (in 1788-89) called for a more efficient form of government. "The greater union among the states, the heavy debt of the nation, the open jealousy of the states, foreign problems could not be advantageously solved

21. Craigmyle, John Marshall in Diplomacy and in Law, 7.

22. America, Great Crises in our History Told by Its Makers, issued by Americanization Dep't., Veterans of Foreign Wars

by this weak central authority."²³

John Morse tells how the Constitution had sprung into birth in the midst of debates and discussions on the rights of man, and principles of government, almost as bitter as the war that had just ended.²⁴ Woodrow Wilson says that it was difficult to determine whether argument or interest was the victor in the struggle for the Constitution. All agreed that nothing had been agreed upon hastily or secretly to change the forms of Union. These debates were the weapons of our warfare, by them the public knew what the Constitution was and what was its purpose. The whole country was willing now to give it the great test.²⁵

In the debates and discussions on the drafting of the Constitution, two opposite tendencies were revealed. The representatives of commerce and capital and the educated classes, favored ratifying the Constitution, and those who feared that a strong government meant a disguised new kingship, opposed it. Speaking of the formation of parties, Jefferson said that many had formed their political opinions on European writings and practices, having more confidence in the experience of old countries, even after their great objections to the abuses of England. They believed these countries a safer guide than mere theory. He enumerates a few of these European doc-
 22 (continued from p.11) of the U.S., Chicago, U.S.A., Copyright 1925, IV, 84.
 23. J.S. Bassett, The Federalist System, 1789-1801, New York: Harpers, c. 1906, 3.
 24. John Morse, Life of John Marshall, 162.

trines as he saw them, for instance, "that men in numerous associations cannot be restrained within the limits of order and justice, but by physical and moral forces, wielded over them by authorities independent of their will," that brute force in man is checked by hard labor, poverty and ignorance and by taking from them much of their hard earned money. The little surplus allowed them was scarcely enough to sustain a scanty and miserable life. The earnings maintained the idle royalty and nobility in splendor.²⁶

These doctrines, it is evident, were gleaned from Jefferson's experiences of the French Revolution. He further explains that few went to these extremities in their opinions, that in the convention that formed the government, the adherents to these principles endeavored to lessen the power of the States and to draw the cords of power as tight as they could obtain them.

There was a tendency to maintain both the freedom of the individual citizen and the independence in everything except foreign policy and national defence of the several states; and an opposite tendency to subordinate the state to the nation and vast large powers in the central Federal authority. "The names given to the two groups were in direct opposition to the facts."²⁷

25. (continued from p. 12) Woodrow Wilson, History of the American People, III, 98.

26. Letter to Wm. Johnson on the History of Parties, June 1823, Wash. VII, 290. Ford, X, 226.

27. Americana, II, 30.

The Federalists strove to turn the federation into a unified nation, while the "Anti-federalists" endeavored to preserve a loose disintegrated federation. The Federalists devised the adaptibility "of the masses" for self-government and regarded them as inclined to oppose the rights of property as well as the pretensions of a superior or ruling class. The Anti-federalists did not oppose a league or union, nor the constitution, but only the Federalists' view of these. There were no truer patriots than their leaders. The objectionable term continued to be applied until they adopted the more significant name of "Republicans."

Jefferson explains the principles of the two parties in a letter to William Johnson. The Federalists tried to recover the very power they had rejected shortly before under foreign rule. The Republicans favored the people's will in general. They held firmly to the rights of man and to his innate sense of justice, to the absolute good faith in his judgment when enjoying in ease and security the full fruits of his own industry. They cherished the confidence of the people while the Federalists feared and mistrusted them. The Republicans represented the landed and laboring interests of the country, and their chief aim was a government of law and order. Jefferson then attributed the republican freedom, order, and prosperity of the country in 1823 to Republican efforts.²⁸

28. Letter to Wm. Johnson, June 1823, Ford, X, 226.

However, in spite of the arguments of the opposition, General Washington was inaugurated as president without regard to party. In the formation of his cabinet, he included members of the opposing parties temporarily united for the purpose of ratifying the Constitution. Alexander Hamilton, Secretary of the Treasury and Knox, Secretary of War, represented the rational element, while Jefferson, Secretary of State and Edmund Randolph, Attorney General, represented the element which desired to practically restrict the nation's action to foreign affairs.

Marked differences of opinion in the cabinet showed themselves from the beginning. Some were inclined to a very liberal construction of their new powers under the Constitution; others cried a warning against it, and urged more conservative methods, a moderate course. "It was easy to see how parties could form; - were forming; but as yet they revealed themselves only vaguely and legislation moved unembarrassed."²⁹

However, a country undergoing the changes a revolution necessitates, men's habits of mind could not be adjusted to principles of new organization without simmerings of an intellectual revolution. "It was not long before the drift of opinion in cabinet meetings showed an irreconcilable divergence and Hamilton and Jefferson became the representatives of the two opposite tendencies which have together made up the sum of

29. Woodrow Wilson, A History of the American People, New York and London: Harper and Brothers, III, 106.

public American history."³⁰

A marked change unfolded itself when the government was concerned with the problems of 1791 - and there were two clearly defined lines of internal policy. The Federalists included those who supported Hamilton. The Republicans were those who enthusiastically welcomed Jefferson's policies. "The ruling idea of Hamilton" Forman quotes from J.P. Gordy, "was his love of liberty and his belief in its practicability to a greater extent and in a larger scale than the world had ever seen. The one thought the supreme need of society was a government strong enough and intelligent enough to enforce justice and preserve order; the other regarded liberty and a government too weak to curtail it, as the supreme political good."³¹

The first point of division arose over Hamilton's National Bank scheme (1791) for clearing up the public debt. Of the Bank, he writes:

This (a national bank) I regard, in some shape or other, as an expedient essential to our safety and success. There is no other that can give to government that extensive and systematic credit which the defect of our revenues makes indispensably necessary to its operations. The longer it is delayed the more difficult it becomes The tendency of a national bank is to increase public and private credit. The former gives power to the state, for the protection of its rights and interests; and the latter facilitates and extends the operations of commerce among individuals. Industry is increased, commodities are multiplied, agriculture and manufactures flourish; and herein consists the true wealth and prosperity of a state.³²

30. Encyclopedia Britannica, 754.

31. Quoted in Our Republic by S.E. Forman, 150.

This pleased the property owning classes and the advocates of a strong central government. "Hamilton's scheme had also a political purpose, which was more important than its financial side. He saw that by pursuing a strong fiscal policy he would draw to his party-following, the moneyed classes."³³

Hamilton's plan, according to Jefferson violated the Constitution, "To take a single step beyond the boundaries thus specially drawn around the powers of Congress (the Twelfth Amendment) is to take possession of a boundless field of power, no longer susceptible of any definition."³⁴ Jefferson argued that even if the Bank were a convenient means to carry out any power granted by the Constitution, yet it was not necessary. The expressed power could be exercised without the Bank. "It was only indispensable powers," Beveridge says, "that the Constitution permitted to be implied from those definitely bestowed by Congress - 'convenience is not necessity.'"³⁵ Hamilton's answer was his argument on implied powers.³⁶ He argued that banks were products of civilized life, they were found in all commercial nations, useful and beneficial to them; they solved all financial difficulties. The Constitution must necessarily include implied powers because it would be impossible to set down in words all the powers of the national government.

32. (continued from p. 16) Works, H.C., Lodge ed., G.P. Putnam's Sons, 1885. Hamilton to Robert Morris, April 30, 1781, I, 100.

33. J.S. Bassett, American Nation 1789-1801, The Federalist System, 28.

Hamilton expected wealth and intelligence to rule. He rested his plan of government on the influence of the upper classes, "a thing not difficult in England," is Bassett's opinion when suffrage was restricted, but in a country which had a widely extended popular suffrage only the effort to rouse the people was necessary in order to overthrow class influence.³⁷ Hamilton himself for pure intellectuality was scarcely excelled by any American statesman, but in practical politics, he lacked tact and persuasiveness and was somewhat domineering in manner. He set forth his political philosophy in a speech in the Constitutional Convention in which he said: "All communities divide themselves into the few and the many. The first are the rich and well born, the other the mass of the people ... The people are turbulent and changing; they seldom judge or determine right...The British Government was the best in the world."³⁸ All his hope of successful government was in the active interest of financing merchants and speculators. Hamilton and his party based their principles upon Old World government, Jefferson was the embodiment of the New World spirit begotten of the Revolution and frontier conditions.

Contrary views to Hamilton's plans were found in Jeffer-

34. (continued from p. 17) Opinion on the Constitutionality of of a National Bank of the U.S., Works - Ford, VI, 198.

35. (continued from p. 17) Beveridge, Life of Marshall, II, 71.

36. (" " ") Hamilton, Opinion on the Constitutionality of the Bank of the U.S., Works, Lodge, III, 445-493, Adams to Bush, 1810, Old Family Letters

37. J.S. Bassett, The Federalist System 1789-1801, 43.

38. Hamilton, Speech in Federal Convention, June 18, 1787

son's opposition, for he always rejected a privileged class and firmly believed in a democracy. He had great organizing ability. Realising that the middle and lower classes were a vast majority of the voters he thought they might control the government if they could be organized into an effective party. "The way to have good and safe government," he said, "is not to trust it all to one, but to divide it among the many. Let the National Government be entrusted with the defense of the nation and its foreign and federal relations, the states government with the civil rights, laws, police and administration of what concerns the state generally, the counties with the local concerns of the counties; and each ward (township) direct the interests within itself. It is by dividing and subdividing these republics, from the great national one down through all its subdivisions until it ends in the administration of every man's farm by himself, that all will be done for the best."³⁹

Jefferson wished to break down the influence of the superior classes over the mass of voters. There were those whose dislike for the principles of British government was still burning ardently in hearts like Jefferson's; there were others who held tenaciously to the democratic theory, some who feared concentration of national power, and finally those who aspired to the leadership of a great party. Jefferson selected the best men of all these groups, united them in a common cause and

38. (continued from p. 18) Lodge I, 381-83.

39. Jefferson, Speech on Compromises of the Constitution, Ford, I, 436-37.

furnished them with successful campaign issues. He founded newspapers to have an official organ and as means of combat. By taking advantage of every mistake of their adversaries, his followers slowly increased in power.

Hamilton's schemes met with great opposition, and hostility to them grew. The Constitution itself was not opposed, but the opposition sought to restrict its powers beyond the literal interpretation of its terms. Party warfare became bitter. Federalists looked upon Republicans as anarchists.

In choosing members of the opposing parties for his cabinet, Washington cherished the hope that his supporters would remain undivided. He sympathized with Hamilton on financial matters and supported Hamilton's view on this subject whenever the occasion arose during his administration. However, Hamilton and Jefferson soon became antagonists on practically all important questions but Washington controlled the opposite-minded secretaries with an even hand. Of the opposition, Jefferson says its primary object was to preserve the Legislature independent of the Executive, to keep the administration within the republican form of government and thus preserve all ideas of a monarchy from entering the Constitution, to keep it pure from all foreign influence. No opposition was made to General Washington who always remained staunch in republican principles. He avowed in private conversations with Jefferson that he would support them to the last drop of his blood.

Washington repeated this often knowing Jefferson's suspicions of Hamilton's designs, and the great General wished to quiet them.⁴⁰

Jefferson defended the Constitution on all occasions because he saw in it the great means of our union. He writes thus to Stuart: "When obvious encroachments are made on the plain meaning of the Constitution, the bond of Union ceases to be the equal measure of justice to all its parts."⁴¹

Washington's efforts to smooth the differences and to bring Hamilton and Jefferson to a cordial understanding free from partisan bias, were in vain. The two parties increased in number, the policies were more clearly defined and "instead of the concert of action which should exist between the departments of governments as a result of a patriotic purpose common to all, devotion to party was substituted and the constitutional depositaries of power were converted into the fortifications of party interest."⁴²

In 1792 the Republicans entered their first presidential campaign. Their hopes ran so high that the Federalists felt much anxiety but the latter's fears were allayed when Washington consented to re-election. Without reconciling the two parties, the great leader launched into his second term. By

acquiescence in Washington's candidacy it was practically im-

40. The Anas, Ford, I, 165, 1818.

41. To Archibald Stuart, Ford, V, 454, 1792.

42. Henry Jones Ford, The Rise and Growth of American Politics 1851-1925, Macmillan Company, 1898, 90.

possible for the Republicans to manifest their true strength, but their power had developed to the degree that when the Third Congress met on December 2, 1793, they elected the Speaker.

Jefferson, head of the opposition, realized he was a misfit in the cabinet and retired to his home at Monticello, only to reappear later from seclusion with greater influence.

Although Jefferson and other Republicans dropped out of the cabinet during Washington's second term, outside of the administration, they were growing in strength, and as the first President's second term neared its close, they prepared for a vigorous contest in the next presidential election. Party organization was still very imperfect as no satisfactory method had been devised for nominating candidates, and the meetings which did take place to lay party plans, were not really authorized and had no power over the choice of presidential electors.

Washington's last care was to prepare his celebrated "Farewell Address" in which he gave much good advice on the problems of the day and expressed his abhorrence of party spirit. "There is an opinion," he says, "that parties in free countries are useful checks upon the administration of the government and serve to keep alive the spirit of liberty. This within certain limits is true; and in governments of monarchical class, patriotism may look with indulgence, if not with favor, on the spirit of party. But in those of a popular character, in governments purely elective, it is a spirit not to be en-

couraged."⁴³ He further mentions the doctrine of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositaries, and constituting each the guardian of the public weal against the invasions of the others. He describes the "horrid enormities" which party spirit may perpetuate against these constitutional safeguards of government. As he had become unpopular with the Republicans because of his Federalist leanings, the "Address" was received with coolness by them. But as the passions of the moment subsided, he recovered the popularity to which his character entitled him, and the next generation came to look on the "Farewell Address" as a priceless heritage.

Washington's great name had been able to hold in abeyance through the first eight years of the National government, the inevitable wrangling of parties, thereby giving an opportunity to launch the government on a safe and enlightened plan. He could then well say: "The unity of government which constitutes you one people is also now dear to you."⁴⁴ And Jefferson could have answered him what he later wrote to Lafayette: "The cement of this union is in the heart-blood of every American. I do not believe there is on earth a government established on so immovable a basis."⁴⁵

Mr. Adams, the great leader's successor, had a national standing, second only to Washington, but he had not appeared as

43. James D. Richardson, compiler, Messages and Papers of the Presidents 1789-1902, 1897, Published by Authority of Congress, 1902, I, 219.

Washington had, in the gaze of the whole world, the maker of a nation. Parties could fight upon a parity, unembarrassed by the President's personal prestige.

Political parties at the time of Adam's election were unorganized and unauthorized. In his Inaugural Address, March 4, 1797, he promised to deal impartially with all sections and parties, justice to all nations, peace and friendship with all the world. His glowing words of praise for his predecessor encouraged all to believe he would carry forward Washington's policies.⁴⁶

At his election, the country looked for war with France. Adams held to the policy of neutrality that he inherited from Washington. The Jay Treaty greatly offended the French people who considered it as unfriendly to their country. The blame fell upon the American Government itself, on Americans whom the French people considered as friendly. The French Republic began to show its displeasure by capturing our vessels, our foreign minister was dismissed and Adams was informed of the discontinuance of French relations until all grievances were redressed.

This message seemed a presage of war. Adams found the Congress divided in its decisions of war, at least it was not whole-hearted in acceding to the President's wishes. However,

44. (continued from p. 23) Ibid., p. 215.

45. (" " ") To Marquis de Lafayette, Ford IX, 509.

46. Richardson, Messages and Papers of the Presidents, 228.

a bill was passed to complete and man three new frigates, provision was made for coast defense, and 80,000 militia were to be ready at a moment's notice.⁴⁷ Congress did not desire war any more than Adams and it was willing to send envoys to France to heal the breach. They found it impossible to make any negotiations and were treated in a cool fashion. This indifference on the part of the French aroused a warlike spirit in Adams and in all Americans. All parts of the Union pledged support to the President; Congress passed measures tending to war. " Merchant vessels were authorized to arm and repel attacks. A Navy Department was created, a new regiment was added to the country's little army, and ten thousand volunteers were enlisted for a term of three years. Adams encouraged the war spirit."⁴⁸ France alarmed at these measures, was eager for readjustment. Adams sent envoys with instructions to maintain the friendly alliance which had cemented the union of the two nations from the beginning; and to represent the dispositions of the Government and people of the United States in order to dispel the jealousies and complaints which were groundless. Thereby the envoys would restore mutual confidence lately impaired by the objections to the Jay Treaty. They would also re-establish the interests of both countries.⁴⁹

47. Acts of Congress, V, 14.

48. Forman, Our Republic, 177.

49. Messages and Papers of the Presidents, Special Session Message, May 16, 1797, 234.

The treaty was made that restored relations between the two countries, but it was unpopular with the war party. Abuses and censure stormed upon the President.

During these upheavals, the Federalists passed three measures designed to check disloyal aliens and to repress disloyal and outspoken opinions. The first was a Naturalization Act. This law prolonged the term of an alien's residence in the United States to fourteen years. The Act of 1795 required only five years residence of an alien. A surveillance was placed over all white aliens, they were deported or registered.

The Alien Act was more drastic than the Naturalization Act. This Act empowered the President, to command those aliens whom he deemed dangerous to the peace and safety of the country, or those engaged in treasonable or secret machinations against the Government, to leave the United States within the time indicated by the President. If after obeying the order they returned later, they were to be imprisoned at the will of the President.

Following upon the Alien Act, came the Sedition Law of 1798 which placed a heavy fine upon any one conspiring to oppose any measure of the government and upon those publishing any false, scandalous or malicious writings against the National Government, Congress or the President. Of this time, Lisitzky writes: "This war fever in America, this spy-hunting, Jacobin-hating madness was the ideal moment for striking one good sharp

blow at the Republicans and wiping them out once for all. The Federalists felt they could not miss this golden opportunity while the Republican leaders were so dismayed and disorganized by events. So in spite of the warnings of their best minds, including Hamilton, the Federalists rushed through two laws, which began what has been called the 'Reign of Terror.'"⁵⁰

By the passage of these laws, Adams was accused of continual grasp for power, and an unlimited thirst for pomp and selfish avarice. Those convicted under this law were Republicans. The Alien and Sedition Acts were unpopular measures, measures that came close to violence and tyranny. They started the Federalist Party on its downward path. Since these acts infringed upon freedom of speech and personal liberty, the Republicans seized upon them, denouncing them on the ground that according to the Constitution no Congress could pass laws that were against these two rights which Americans cherished so highly. Jefferson considered the Sedition Law to be a nullity, so absolute and palpable that it seemed as if Congress voted the worship of a golden image. He felt it his duty to oppose it as much as it would have been to rescue from a fiery furnace those cast into it for refusing worship to an image.

Bitter protests were made by the legislatures of some states. Factional fights among the Federalists and the growth of the Republican Party led to the downfall of the Federalist

50. Lisitzky, Thomas Jefferson, 260.

Party in 1800 and to the election of Jefferson to the Presidency.

Parties had taken birth in Washington's administration by reason of differences of opinion on all matters of government within the administering body itself, and the opposition which gave life and vigor to the discussions therein, was caught up by the people at large who also took sides according to their opinions and desires. This tendency to form groups, which is always inherent in any mass of thinking people, has been from the very beginning and always will be the generating force which keeps our government in motion and entices all citizens to take an active part and interest in its workings.

In accepting the Presidency, Jefferson burdened himself with some difficulties. He saw travelers weary from the hardships of a journey over roads in a deplorable condition; he heard American manners and morals made the subject of disputes. Cities were small and not numerous; their people amused themselves in theatres, by dancing, music, conversation, walking, riding, sailing, shooting. Homes were not luxurious, clothing was homespun, cut and made at home. Banks founded before 1800 supplied the commercial needs of the country. There were no steamship lines and little coinage; manufacturing conditions were greatly restricted; the Navy Yard was in a shocking state; business people were eager for foreign trade. The Federalist Party was suffering from the wound just inflicted by the elec-

tion after years of prosperity and success. Jefferson looked upon all and saw only as a beginning what we see now as an organized whole. He held the handfull of loose-end threads, his dislike for England and his ardent devotion for France being the predominant colors, and his daily work upon the great masterpiece strengthened all parts of the Union.

Jefferson's Inaugural Address, it is said, was at one time almost as familiar to Americans as the Declaration of Independence, embodying as it did, American ideals and American principles. The stalwart Republicans were dismayed to hear its keynote: "We are all Republicans, we are Federalists. If there be any among us who wish to dissolve the Union, or to change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated where reason is left free to combat it."⁵¹ In letters of later dates, he repeats the same thought in other words and in 1821, he writes to Henry Dearborn: "It is indeed of little consequence who governs us, if they sincerely and zealously cherish the principles of union and republicanism."⁵² But is there an organizer, a thinker, a great man who has not his critics? Jefferson was spared none of their sharp words. Of his Inaugural address we read:

51. Letters to J.F. Mezser, 1804, to James Madison, 1809, 242.

52. Works, 1821, Ford, X, 192.

An indifferent person on sending this part of the inaugural speech, would necessarily conclude that the whole, sole, and sincere object of the speaker was to conciliate the people to each other, to extinguish any little animosity that might subsist between them, to appease the jealousies and resentments of party spirit, and to bring the most obstinately discordant, a temper of kindness and mutual love and good will to each other. One would be disposed to believe that there did not exist, in his opinion at least, any material party animosities. That he not only wished, but really expected, the people to unite, with one heart and one mind, to restore harmony and affection to social intercourse; and that the minority, that is to say the federalists, should possess equal rights with the majority. That without any distinction, Americans were 'all Republicans, all Federalists' - and in a word, that during the administration at least, peace, harmony, and fraternal love, were to reside in the United States. But all this while his mind was darkly brooding over a system of proscription and persecution.⁵³

Jefferson immediately set to work to improve upon his spoils of victory, and in his First Annual Message, December 8, 1801, he advocated lessening the revenue and beginning internal improvements.

One critic again sounds his alarm:

As might have been expected from him, every word of this message was calculated to catch the multitude, and to procure him popularity at the expense of principle and of the true interests of the country. The subjects it recommended to notice were various, and demanded, each, separate consideration; distinct, however, as they were of themselves, they all had evidently one and the same end; that of attraction of the partial regard of the people, of establishing his faction in the dominion of the States to the

53. Memoirs of Hon. Thos. Jefferson, Hall, Printed for the Purchasers, 1809.

54. Messages and Papers of the Presidents, 326.

exclusion of the federal party, and of erecting a permanent despotism on the basis of influence to be obtained by the prostitution of patronage to the purposes of corruption. Through every part of it there was perceptible that affectation of tenderness for all mankind, and that moderation of political measures which had all along been the stalking horse of the machinations of the French, and the never failing forerunner of the worst atrocities of Robespierre, his associates and successors. A prudish coyness of power and still more so of the extreme exercise of it, which to the most shallow penetration betrayed a secret, lurking ambition of the most enormous group ... an ambition which aimed at something so much greater than that which the laws and Constitution of his country imparted to him with his office, that it suggested the seeming of a desire to disclaim the latter, as a lure to catch his ultimate object.⁵⁵

But criticism is a spur to great men, they live above it, for Adams tells us: "On all sides increase of ease and comfort was evident, and roads, canals, and new buildings, public and private, were already in course of construction on a scale before unknown."⁵⁶ And elsewhere we read that: "The new machinery of democracy hummed happily into action, abolishing the internal taxes and the libel laws, ordering new roads, broadening the basis for the naturalization of aliens, and laying new restrictions on banks, without provoking the slightest symptoms of monarchist revolution ... the Federalists... (stood) around in corners to scratch their heads over the black magic of Gallatin, who was doing twice as much with half the income his predecessor

55. First Message to Congress, 1801, Memoirs, 142.
 56. History of the U.S., Adams, I, 21.

had."⁵⁷ Records of Congress reveal this activity and also show the universal opinion of the need of roads, for in the First Session of the Seventh Congress⁵⁸ appropriations approved by Jefferson were made to alter and establish Post Roads. An Act passed by Congress February 10, 1803, authorized the sale of a piece of land, parcel of the Navy Yard belonging to the United States, in Charleston, in the State of Massachusetts, to the proprietors of the Salem turnpike road and Chelsea Bridge Corporation.⁵⁹

Better means of communication with the west was an ever-growing demand in 1806. Congress then passed a bill providing for the construction of a National Road from the head waters of the Potomac to the Ohio River which was to be free from tolls. This same act was later extended to improve communications as far as St. Louis.⁶⁰ In 1802 appropriations for Military establishments in the United States⁶¹ and in Second Session of the same Congress, appropriations for Naval service were approved by Jefferson, January 14, 1803, and for armament for the protection of seamen and commerce of the United States.⁶² A uni-

form militia was established for National defense, by an Act

57. C. Pratt, The Heroic Years, New York, Harrison Smith and Robert Haas, 1934, 26.

58. Acts, Laws of the U.S. of America, Published by Authority, Washington, D.C., Printed by Samuel Harrison Smith New Jersey Avenue near the Capital, 1801, III, 164.

59. Acts, VI, 197.

60. Roads and Highways, Article in America, 23, 559.

61. Acts, III, 148.

62. Acts, XI, 197.

of Congress March 2, 1803.⁶³ Provision was made for a rapid reduction of the public debt and the budget of the Federal Government was greatly reduced. The term of residence required before an alien could become a citizen, was shortened when a favorable naturalization law was recommended. A new copyright law was passed at this Congress, a Congressional library was established and provision was made for a military academy at West Point. All these measures pleased both President and the public, fulfilling all their desires. The army and navy which had been increased during Adams administration was reduced to the barely necessary. Jefferson had judged the temper of the country, the affairs of the country, and he saw the people turn to the new party with some enthusiasm, because it typified the natural dispositions and principles of America, - through these they hoped to reach that road that leads to "peace, liberty and safety."

63. Acts, VI, 218.

CHAPTER II

WAR CLOUDS

A study of the Louisiana purchase could scarcely be made without a few considerations of Jefferson's opinions on war and the source of these views. When Franklin received his permission to leave France, having served his country there as ambassador, Thomas Jefferson was appointed to replace him. He set out from Boston on the vessel "Ceres" on July 5, 1784, and remained in France five years.

During this period, he wrote his appreciation of Europe in a letter to Mr. Bellini, comparing it with his native country. He found Europe in a deplorable state, and in a true scholarly fashion, he examined the conditions of the more fortunate to compare them with that degree of happiness which is the inheritance of every American citizen. In Europe such pursuits that nourish and invigorate all the evil passions are substituted for the momentary joys they bring to forget the days and months of restlessness and torment with which they are afflicted. Jefferson found this quite a contrast to the felicity with which American society was blessed, that changed all pursuits to sources of real happiness because the Americans were free from all influences that would curtail growth. He found the

countries two centuries behind us in science; and about six years advanced in literature. But we were the beneficiaries in the latter because it took about that length of time for books to acquire a reputation, therefore, only their advances in knowledge were communicated to us. The swarm of non-sensical publications perished almost in issuing and before our people could be tainted by them. He expressed the desire that his countrymen would adopt in some measure that European politeness which often calls upon self-sacrifice but rids society from disagreeable rudeness. Jefferson also shows the development of his own powers in his appreciation of European architecture, sculpture, painting and music in which they are supreme.¹ Here we have not only his views of Europe but in it we see a man of culture, who looks deeper than the surface. He says nothing here of the effects of the teachings which had spread from the vitriolic pens of the so-called philosophers of the 18th century. These men had imported many of their ideas from England where writers were accustomed to attack all religions based on divine revelation. Reason was man's only guide, they asserted. In their search after truth, they followed an absolutely free course and some even denied the existence of God. Their views spread rapidly over the Continent and especially in France. Voltaire, a prolific writer, was the chief instigator of this movement in that country.

1. Letter to Mr. Bellini, Ford, X, 443.

Three years' association with the anti-Christian writers of England, prepared him well for his long life devoted to the destruction of Christian teachings and Christian governments. Rousseau too, wrote against the governments of different countries. These flames spread quickly because religion was at a low ebb in the 18th century. Gallicanism had weakened the administration of ecclesiastical affairs. The expulsion of the Jesuits was a disastrous blow to education and because the Church and religion was despised, morality relaxed at a frightening rate. Added to these, the excessive taxation caused by the extravagance of the privileged classes was a heavy burden carried by the less fortunate. The American Revolution besides had not a healthy influence upon many in France.

The allies of America during the Revolutionary War, returned to France fired with enthusiasm for the young republic. They believed they saw in it the ideals of what they had admired in their literature, and they yearned to found a similar democracy in France. They failed to see the differences in the people of these two nations, and the formation of the country. America was a new state and France had existed for centuries; America could choose what she desired, France had to tear down all traditions; America had a definite ideal to follow, France built upon "castles in the air," intangible, unreasonable. Little wonder that disorganization, confusion, blood-shed, dis-orders of all sorts, followed in the trail of the French

Revolution. Beveridge points out some of these when he speaks of the critical years when Jefferson was in France witnessing government by a decaying, inefficient, and corrupt monarchy and nobility, and considering the state of the people who were without that political liberty enjoyed in America.²

The story is well known how Lafayette invited some of his friends to Jefferson's home in Paris. Jefferson was unaware of the nature of this meeting but he must have caught some of the sparks from the flames burning in these men's hearts, for, he who had always loved peace could exclaim of the Massachusetts outburst nearly a year after it had ended. "Can history produce an instance of rebellion so honorably conducted? ... God forbid we should ever be twenty years without such a rebellion... What country can preserve its liberties if their rulers are not warned from time to time that their people preserve the spirit of resistance? Let them take arms ... The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants."³

Jefferson's burning thoughts were enkindled by the petty and prolonged English tyrannies, and the unforgettable sufferings and wrongs which still rankled in his heart. Perhaps for this reason and because of his devotion to Lafayette, he remained at this meeting with the Revolutionists. And he was not

2. Beveridge, Life of John Marshall, I, 286.

3. Letter to Smith, November 13, 1787, Ford V, 362.

alone in his opinions on his reasonableness of the French Revolution for Marshall repeats that, at first, every American wished success to the French reformers. But the later steps of the movement impaired this unanimity of opinion ... A few who had thought deeply on the science of government .. believed that .. the influence of the galleries over the legislature, and of mobs over the executive; the tumultuous assemblages of the people and their licentious excesses ... did not appear to be the symptoms of a healthy constitution, or of genuine freedom ... They doubted and they feared for the future."⁴

Just about the time of the opening of the States-General, Jefferson seems to have placed his confidence in the king whom he seemed to admire more and more. In May 1787, he wrote to John Jay: "Happy that he is an honest, unambitious man who desires neither money nor power for himself; and that his most operative minister (Necker), though he has appeared to trim a little, is still, in the main a friend to public liberty."⁵

The convocation of the Estates General, May 1789, its conversion into a National Assembly; the fall of the Bastille, July 14th and the formation of the National Guard marked the end of the old Regime in France.

Jefferson admired the tenacity of the National Assembly and at the same time he thought it carried matters too far as he says they were not dismayed with what has passed, but they rose in their demands, some of them considered erasing every

4. Beveridge, Life of John Marshall, II, 22.

vestige of a difference of order as indispensable to the establishment and preservation of a good constitution. He thought there was more courage than calculation in this project.⁶

In July of this same year, Jefferson was asked to attend the first meeting to plan a constitution. Jefferson declined, excusing himself on the obvious considerations that his mission was to the King, as chief magistrate of the nation, and that his duties were limited to the concerns of his own country, and forbade him to intermeddle with the internal transactions of that, in which he had been received under a specific charter.⁷ But in spite of these words he ended by wishing the Committee complete success in the undertaking.

In 1791-92, the Legislative Assembly, enemies of the Constitutional Monarchy, was led by Danton, Marat and Robespierre, but it was soon replaced by the First Republic (Sept. 22, 1792.) This was established after the events of August and of the early part of September. In August of the same year, the Duke of Brunswick's proclamation had aroused and agitated the French people against the monarchy. The attack upon the Swiss guards, the imprisonment and suspension of the King after the call of the National Convention, all curtailed the royal power.

"There are few more terrible days in history," Mathews says,

"than the first four days of September, 1792."⁸ Danton was

5. (continued from p. 38). To John Jay, May 9, 1789.

6. Ibid., June 24, 1789.

7. Autobiography, Mss. To Champion de Cice, Archbishop of Bordeaux, July 20, 1789.

8. Mathews, Shailer, The French Revolution 1789-1815, Longmans

dictator when the bloody September massacres took place in which the Royalists were cruelly put to death, followed by the execution of their sovereign. And finally the "Reign of Terror," an episode of the Revolution from October 1793 to July 1794, had Robespierre as dictator.

No one could witness nor hear of their inhuman outrages without being affected by them in one way or another. And perhaps Jefferson was thinking of France when he wrote: "In every government on earth is some trace of human weakness, some germ of corruption and degeneracy, which cunning will discover, and wickedness insensibly open, cultivate and improve. Every government degenerates when trusted to the rulers of the people alone."⁹

Events moved rapidly in France, leaving nothing but scarlet marks on its history and all the pent-up passions of some years past poured out their poisonous "Gases," leaving nothing but destruction and blood shed in their wake. Again Marshall gives the general American conservative opinion of the time: "The circumstances under which the abolition of royalty was declared, the massacres which preceded it, the scenes of turbulence and violence which were acted in every part of the nation, appeared to them (American conservatives) to present an awful and doubtful state of things....The idea that a republic was to introduced and supported by force was, to them, a paradox in 8. (continued from p. 39) Green and Company, 55 Fifth Avenue, New York, 1927, 217.

9. Adams, J.T. Jeffersonian Principles and Hamiltonian Principle

politics.¹⁰

These were undreamed-of events with which Jefferson had no sympathy, for his views differed slightly from those of Lafayette who desired a monarchy like that of England. However, the memory of these atrocities of war influenced the remainder of his political life and in his correspondence he could declare with more firmness that, ...he abhorred war and viewed it as the greatest scourge of mankind.¹¹ He felt too that he could express the sentiments of all Americans in saying to Gouverneur Morris that no country, perhaps, was ever so thoroughly against war as ours. These dispositions characterize all citizens whether office holders or not.¹² And in speaking of the reasonableness nations should show one another, he said: "How much better is it for neighbors to help than to hurt one another; how much happier must it make them. If you will cease to make war on one another, if you will live in friendship with all mankind, you can employ all your time in providing food and clothing for yourselves and your families. Your men will not be destroyed in war, your women and children will lie down to sleep in their cabins without fear of being sacrificed by their enemies or killed or carried away. Your numbers will be in-

9. (continued from p. 40) Little Brown and Co., Boston, 1932, c. 1928, Introd. 9.

10. Quoted in the Life of Marshall, II, 23.

11. Letter to Elbridge Gerry, Ford, VII, 122. Pa, 1797.

12. Letter to Gouverneur Morris, Ford, VI, 217, April, 1793.

creased instead of diminished, and you will live in plenty and quiet."¹³ Or again, he writes that peace would be a rare blessing on earth if nations resorted to war for every injury.¹⁴

Thus do we see that Jefferson never relaxed his firm purpose of keeping out of war, a principle he held in common with his much admired friend, Washington, as a sacred legacy to be preserved for every generation. Peace brings forth all that is noble in man, war lowers him beyond recognition. "The evils which of necessity encompass the life of man are sufficiently numerous. Why should we add to them by voluntarily distrusting and destroying one another? Peace brothers, is better than war. In a long and bloody war, we lose many friends and gain nothing."¹⁵

The First Inaugural Address of 1800 is a declaration of the essential principles of the American government as Jefferson construed them from the Constitution. He had always affirmed a well-disciplined militia was by far a better reliance in peace and for the first moments of war than a standing army which is only a public expense, a menace to the progress of the nation, and against the equality of man. Of this principle we read: "Militaristic nations have a way of encouraging their professional soldiers to look down on civilians as less than nothing." This was precisely why Jefferson opposed the

13. Address to Mandar Nation, 1806, VIII, 201.

14. Letter to Mme. de Stael, Wash. Ed., V, 1807, 133.

15. Address to Indians, Wash. Ed., 1802, VIII, 185.

use of a standing army. He thought that militia was just as good a protection against others as a regular army. Militia, also, is not always craving an excuse for a war in which to show off its training. Moreover, if every able man belonged to the militia then there could be no differences of feeling between civilians and soldiers, since every civilian was a soldier and yet not a professional soldier."¹⁶

In order to carry out his principles so carefully planned in his Inaugural Address, Jefferson called upon the Secretary of War for statistical records of all that concerned his department so that in his First Annual Message he could offer the following considerations to Congress: He informed this governing body that a statement by the Secretary of War had been formed of all that concerned our "preparedness" for war and for protection. Jefferson found the whole amount far below the present establishment. The standing army was not a necessity, he thought, and he advocated the strengthening of the militia, on these he would rely in time of invasion until regulars could relieve them.¹⁷ He reduced the army to 3,000 men.

Lovers of peace are usually molested by threats of war and Jefferson found many opportunities to strengthen his conviction. During his first term of office, many of the great powers of Europe were tired of war and gradually made peace with Napoleon until France and England were left alone to contend after the

16. Lisitzsky, Life of Thomas Jefferson, 266.

17. First Annual Message, Dec. 8, 1801, Wash., VIII, 111.

Peace of Luneville. The Treaty of Amiens, March, 1802, put an end to England's hostilities, but only temporarily. Jefferson maintained for himself and the country a strict neutrality; he soon saw that our foreign relations were changing considerably. Our coasts were not free from attacks, armed vessels came to the harbors. Our trading vessels as well as those of friendly nations were captured, plundered and sunk; the crews were at the captor's mercy. Appeals were made to the sovereigns, only to be ignored. But Jefferson's ardent love of peace was not so inflexible that it overruled his love of justice. His great desire was to accomplish his purposes through peaceful agencies of diplomacy and when these failed he used the only alternative - force. His Fifth Annual Message to Congress mentions these "enormities" and he says he found it necessary to equip a force to protect our own seas, and to capture all pirates. He mentions here, too, the system of impressment, a great annoyance to our commerce; the inconsistencies of neutrals and belligerents in time of war. Reason, the only umpire between just nations, revolts at such action. He believed, too, that our confidence in the justice of other nations would induce them to a more correct observance of our rights.¹⁸

This undying confidence in man evokes a ready response, because it appeals to the nobler faculties of man. It was this hope that made Jefferson say shortly afterwards that in case of war, he had a perfect confidence that every citizen would show

18. Fifth Annual Message, Dec. 3, 1805, Ford, VIII, 46.

as much energy and enterprise as he showed in such an eminent degree in the pursuits of peace.¹⁹

As the nation grew and our relations with foreign nations became more intimate, it was an urgent necessity to improve conditions in the country. No one was better informed of this than Jefferson. He knew the lack of them and planned to increase their number together with the enlargement of plans for military preparation. The chief engineer (of West Point) was instructed to consider the subject and to propose an enlargement which might render the establishment commensurate with the present necessities of the country. His report was then transmitted for the consideration of Congress.²⁰

Because of the insulated state of our nation, he had little fear of its engaging in foreign wars; no spark of war kindled in other quarters of the globe should drift across the miles of oceans which separate us from them. And perhaps we can sum up this theory in the obligations he felt in his office:

To cherish and maintain the rights and liberties of our citizens and to ward from them the burdens, the miseries, and the crimes of war, by a just and friendly conduct towards all nations, ... (are) among the most obvious and important duties of those to whom the management of their public interests... (are confided).²¹

Europe had long been accustomed to war, now, the ingeniously planned campaigns of Napoleon were stepping-stones to military greatness where his genius soared. The lives of these two

19. Letter to General Shee, Ford, V, 1807, 33.

20. Special Message, March 18, 1808, VIII, p. 53.

21. Reply to Baptist Address, 1807, Ford, VIII, 119.

geniuses, Jefferson and Napoleon, are a very interesting study. Both struggled against oppression in their native lands, in one it engendered almost a passion for peace, for the preservation of lives; in the other an insatiable longing for war with little thought of the lives he sacrificed. One could almost say Napoleon breathed naturally only when inhaling the fumes of war. And as war is an outcome of physical facts and as all states rise and fall, so it is true that individuals may rise, like Napoleon, and seem to direct things in an unforeseen direction. The story of his youth gives the foundation of this interesting character.

The struggles for independence in the island of Corsica, Napoleon's birthplace, were almost contemporaneous with those of America; and the progressive steps of the American Revolutionary War aroused a responsive interest in the islanders. The enthusiasm with which the story of the exiled Corsican chieftain, Paoli, was met in the United States may readily be gathered when we learn that several of our towns or provinces in the Union, bore the name. This interest of the colonists naturally awakened interest in their cause.

Napoleon's youth is described as being identical with the struggle of his native land. His interest in American independence was an ever-growing influence, so that he himself could feel and take part in the labors of Washington; in his triumphs and disappointments, because he felt Washington's cause was the

cause of humanity.²²

During Napoleon's youth the great world event was the American War. He was following his studies in Paris while some of the most influential men of the French army, navy and court, were in America or on American waters. Bonaparte's instructor, Silvestre Valfort, had accompanied Lafayette to America, and aroused the youth's imagination with accounts of the campaigns around the Chesapeake. When Napoleon received his commission in 1785, the Franco-American alliance was still deeply rooted in the hearts of the citizens of both countries and "M. de Washington" was the great strategist. In 1789 the Federal Union of the United States came into existence and in the same year in France, monarchical powers were restricted. During the Directorate, France tried to demand our alliance, Napoleon studied American affairs as an on-looker, when the French government made desperate efforts to build a similar republic. During his post graduate studies, a self-imposed course of seven years, he made a detailed study of America beginning with the history of the first colonists who left from England on account of religious or other persecution. From his studies in Paris, he plunged into the only life France seemed to offer in the excesses of war. One brilliant campaign after another rushed him to supremacy. Generals, like politicians, proved treacherous, but never before in history did forty millions of

22. Andrews, E.L., Napoleon and America, Mitchell Kennerlay, 2 East 29th Street, New York, 1909, 7.

men serve a leader with such unsurpassing loyalty. Napoleon had a wonderful power of adaptability to circumstances, a remarkable aptitude for mathematics, he was a good field engineer, and he had an iron face. He had been disturbing Europe from 1792 and he showed no burden of scruples in sacrificing thousands of soldiers in the east. This makes it comprehensible why Jefferson was timid or cautious with Napoleon, when we judge him as a friend.

But in spite of Napoleon's recklessness with human life there are those even today who can scarcely find expressions adequate enough in his praise. Rose concludes his biography with praises of the highest degree for his greatness in government, and in the art of war. Mankind, he says, awards highest distinctions, not upon the prudent who cannot face failure, but upon him who can dare and hold the hearts of millions even in ruin. Napoleon's campaigns formed the greatest movement in Europe since the Crusades - for these, he must always remain among the immortals of human history.²³

Quite different is Adams' appreciation of the great warrior for the historian judges him in his relation to mankind, not alone in his brilliant and misdirected qualities:

Ambition that ground its heel into every obstacle; restlessness that often defied common sense; selfishness that eat like a cancer into his reasoning faculties, energy such as had never before been combined with equal genius and resources; ignorance that

23. Rose, John H., Life of Napoleon, 1901., Macmillan Company, New York, 1910, II, 529.

would have amused a school-boy; and a moral sense which regarded truth and falsehood as equally useful modes of expression, - an unprovoked war or secret assassination as equally natural forms of activity - such a combination of qualities had to be faced and overawed by the gentle optimism of President Jefferson and his Secretary of State. 24

Empires rise and fall. Napoleon made one with lightning speed and just as quickly he saw its disintegration. Jefferson acquired a territory larger than Napoleon's empire with great shrewdness, calmness and without bloodshed; and if he lived today, he would find its States the pride of that Union about which his life centered. Jefferson's great acquisition has a history especially interesting to every American because it figured so often in the stages of development of our country.

The idea of a French colonial empire dates earlier than the Jeffersonian era. It was La Salle who first thought of establishing a French colony on the Mississippi. His expedition in 1684 failed to reach its destination. In 1699, Iberville led a more successful expedition that sailed into the Gulf of Mexico, passed Pensacola then occupied by the Spaniards, and made its settlement on the shores of Mobile Bay or nearby. Iberville returned to France and Bienville continued explorations along the Mississippi River. New Orleans became the principal town in 1720. "Louisiana grew with painful slowness."

Indigo and sugar industries proved failures in the state, but
 24. Adams, H., History of the United States during Jefferson's Administration, II, 335.

in 1795 the cultivation of cotton was introduced and from that date Louisiana prospered, and the exports of the province showed a decided increase.²⁵

Until 1763, Louisiana remained in the possession of the French; but at the close of the Seven Years' War in that year, it was ceded to Spain. This was in payment for assistance in this struggle. "By a secret convention in 1762, confirmed by the Treaty of Paris in 1763, France had given this vast territory to Spain; and the control which Spain thus had of the mouth of the Mississippi became as years went on a matter of more and more serious concern to our Western people, for whom the Mississippi and its tributaries were the great avenues of travel and trade."²⁶ And Barbe-Marbois tells us in his account that Louisiana had always been a source of infinite trouble and expense to France from the time of her first attempts at colonization. Her efforts were met with insubordination, discord, and malfeasance among those in authority; added to this the expense of troops and the contributions of merchandise to the Indian tribes who demanded these things as a condition of peace, together with other distasteful and costly things, were drains on the French government. To it the colony had proven unprofitable.²⁷ By the same treaty Florida was given by Spain to England, and remained an English possession until 1783 when it was restored to Spain. The Spanish Government at that time

25. Facts from Ed. Channing, The Jeffersonian System, Harper and Brothers, New York and London, 1906, Chapter IV.

26. Old South Leaflets, Cession of Louisiana, 26.

sought to exclude the United States, not France, from the Gulf. Our sagacious statesmen had seen at an earlier date what serious consequences would be involved in the situation, for in 1784, Franklin said he would rather buy at a great price their whole possessions on the Mississippi than sell a drop of its waters. A neighbor might as well ask him to sell his street door.²⁸ France made some attempts to regain her colony but all was in vain. However, by the Peace of Bale, July 22, 1795, Spain ceded part of St. Domingo, "the cradle of her Transatlantic power, and the cause of yearly deficits to the Spanish treasury."²⁹ Further attempts on the part of France to recover Louisiana could never induce Charles IV to accept the terms.

Talleyrand and his party at this time influential in the French Government looked to the extension of the French empire abroad. He laid down the principles to be pursued in the administration of foreign affairs which he assumed. Commissioners Pinckney, Gerry, and Marshall were sent to France to settle American difficulties, but Talleyrand would negotiate only after receiving a fund of money. The Americans would not accept his terms and two of them returned home. War seemed inevitable. America was again at a crisis. Through Talleyrand, Godoy was driven from office, not before he had ordered Governor Gayoso of Louisiana to deliver Natchez to the United States. The

27. Barbe-Marbois, *Histoire de la Louisiana*, 18.
 28. Facts from Ed. Channing, The Jeffersonian System, Chap. IV.
 29. Adams, Book I, 354.

delivery was scarcely made when Talleyrand sent Citizen Guillemardet as minister to Madrid. The instructions given him showed the Frenchman's fear of American progress. He informed him of the acquisition for the United States of the posts along the Mississippi, which Spain formerly held to check and arrest the progress of Americans in that land. "The Americans are devoured by pride, ambition and cupidity," he said. To check their ambition, the Americans must be shut up within the limit which nature seems to have traced for them. He further intimates that Spain cannot do this without the assistance of France, and for this little friendly help, he asks a small part of her immense domain. The small part happened to be the Floridas and Louisiana.³⁰

But these schemes failed because Talleyrand had too many irons in the fire. He had encouraged young Bonaparte to carry on a campaign in Egypt to relieve the losses of her colonies, and just shortly before he sacrificed what was left of the French colonies in the West Indies. So Senor Urquijo presented no arguments for the retrocession but told him to oppose it if he dared. Adams quotes the interview as follows:

France expects from, 'I said to him,' what she asked in vain from the Prince of Peace. I have dispersed the prejudice which has been raised against you in the mind of the French government. You are today distinguished by its esteem and its consideration. Do not destroy my work; do not deprive yourself of the only counterpoise which you can oppose of the force

30. Instructions donnees au Citogen Guillemardet, Prairial, An VI, (May 30, June 19, 1798) Archives des Aff. Etr. MSS. Quoted

of your enemies....for I declare to you formally that your action will decide the fate of the Duke of Parma, and should you refuse to cede Louisiana you may count on getting nothing for that Prince. You must bear in mind, too, that your refusal will necessarily change my relations with you. Obligated to serve the interests of my country and to obey the orders of the First Consul, who attaches the highest value to this retrocession, I shall be forced to receive for the first time offers of service that will inevitably be made to me; for you may be sure that your enemies will not hesitate to profit by that occasion to increase their strength - already a very real force - by the weight of the French influence; they will do what you will not do, and you will be abandoned at once by the Queen and by us.³¹

And Urquijo could only answer: "'Eh! who told you that I would not give you Louisiana? But we must first have an understanding, and you must help me to convince the King.'"³² The King was convinced for Spain retroceded Louisiana to France, and further stated that after the general peace the king might also cede that portion of West Florida which lay between the Mississippi and the Mobile. This treaty³³ was signed at San Ildefonso on October 1, 1800; the day before, September 30, the convention of 1800 between France and the United States had been signed. As Henry Adams justly remarks, "the first of these agreements undid the work of the later."³⁴

30. (continued from p. 52) in Adams History, Book I, 357.

31. Alquier to Talleyrand 19 Thermidos, An VIII, August 7, 1800; Archives des Aff. Etr. MSS. - Quoted in Adams, 365.

32. Ibid.

33. Treaties, Conventions, International Acts, Protocols and Agreements between the United States of America and Other Powers 1776-1909, Wm. M. Malloy, Compiler, 506.

34. Channing, Jeffersonian System, 59.

Talleyrand discovered now that he could not afford a war with the United States and at the same time, he was making conciliations with the commissioner who still remained in France. The revelation by the United States of his demands for money, Gerry's demand for his passport, humbled Talleyrand enough to assure Gerry that nothing would intervene to obstruct negotiations with the United States.

After his forced retirement and reinstatement, he again turned his attention to America. European governments were anxious to check the flood of republicanism and to restore the peace of Europe. This was Talleyrand's moment and Napoleon hastened matters on. Within two years he had fought the battle of Marengo while Moreau passed from one success to another on the Danube. Bonaparte negotiated for peace with Austria while negotiations were made with commissioners from the United States. Talleyrand's precipitous actions with the United States were not favorable to the First Consul who wished to make peace with Europe first, then dictate alone to the United States. Joseph Bonaparte's attempts to appease the indignation of Napoleon were useless: "You understand nothing of the matter" he said, "within two years we shall be the masters of the world."³⁵

However, the Treaty of Morfontaine was signed December 19, 1801,

35. Quoted in Adams, Book I, 361, Memoires de Mot de Melito I, 288.

by which Napoleon agreed to omit the second article and the Senate agreed to renounce "the respective pretensions which are the object of the said article."

Shortly after the Battle of Marengo Napoleon ordered Talleyrand to send a special messenger to the French minister at Madrid, citizen Alquier, to make a treaty with Spain by which Spain would retrocede Louisiana to France in return for the Duchy of Parma, the territory was Tarcany and the title of the new monarch was "King of Etruria." Citizen Alquier immediately interviewed the Spanish Secretary of Foreign Relations. Of this transfer Jefferson writes:

The session of Louisiana and the Floridas by Spain to France, works most sorely on the United States. On this subject the Secretary of State has written to you fully. Yet I cannot forbear recurring to it personally, so deep is the impression it makes in my mind. It completely reverses all the political relations of the United States and will form a new epoch in our political course. Of all nations of any considerations France is the one which hitherto has offered the fewest points on which we could have any conflict of rights, and the most points of a communion of interests. From these causes we have ever looked to her as our natural friend, as one with which we never could have an occasion of difference. Her growth, therefore, we viewed as our own, her misfortune ours.³⁶

36. Letter to Livingston, April 18, 1802.

CHAPTER III

NEGOTIATIONS AND PURCHASE OF LOUISIANA

The Treaty of Ildefonso was kept so secret that Jefferson began his administration without any knowledge of it and anticipated friendly relations with France and Spain. He even wrote to Claiborne that with respect to Spain our relations were sincerely amicable and even affectionate. And that the possession of the adjacent country was most favorable to our interests, and it would give extreme pain if any other country occupied that district.¹ The Louisiana territory had always been to Jefferson and other statesmen of utmost interest, for the Old South Leaflets tell us: "Jefferson devoted his earnest thought to the subject years before 1803. As Secretary of State in 1790, when there seemed to be some danger of Great Britain seizing New Orleans, he expressed to Washington his opinion that, rather than see Louisiana and the Floridas added to the British Empire, he should take part in the general war which then seemed impending and at the same time he warned the French to let the territory alone."² Jefferson also wrote to Carr,

our representative in 1790 at the Court of Madrid, bearing upon
1. Letter to M.C.C. Claiborne, July 13, 1801, Ford, VIII, 30.
2. Old South Leaflets, Cession of Louisiana, 26.

the subject of our fortunes at the mouth of the Mississippi; he succeeded in the negotiations for the treaty that secured peaceful relations with Spain for at least a dozen years before the Louisiana Purchase.

When the Spanish monarch ceded Louisiana back to France, Napoleon planned a great expedition and colony for Louisiana, and had thoughts of restoring in America the French power which fell before England at Quebec. Intimations only of the cession from Spain to France created much disturbance and alarm in America. Kentucky was aflame, Jefferson was deeply stirred. The Spaniards had held Louisiana on sufferance and the United States could have it at any time from them. But the French would be likely to hold tenaciously their ancient possession now that they had it once more.³

Napoleon's first step toward the re-establishment of the French colonial Empire was the reconquest of Santo Domingo. He expected this island to be a link between France and Louisiana. In the fall of 1801, Leclere led ten thousand soldiers to Santo Domingo and, we can easily infer, to Louisiana in the end. Toussaint, the great Leader and some thousands opposed Leclere's army. This picked body of Frenchmen soon fell victims to yellow fever. Before re-inforcements could be sent, Leclere himself died.

The President had never entertained any thoughts that Napoleon showed any particular affection toward the United
3. Ibid., 26.

states government because he said it was a living libel on him (Napoleon).⁴ Jefferson thought Napoleon's hatred for us was a little less than he bore towards England, and England to us; our form of government too was odious to him.⁵

The Santo Domingo expedition and Napoleon's dislike for America were alarms enough for Jefferson to watch every movement closely, with a protective eye towards Louisiana. In April 1802, he wrote a letter quoted in the preceding Chapter to Robert R. Livingston, Chancellor and New Minister to Paris stressing the position of the United States with regard to the cession of Louisiana and the Floridas by Spain to France. New Orleans is the one spot that must be ours. This letter shows the reverse of all Jeffersonian policies. The defiant attitude, the profession of the necessary union with England, the rejection of his devotion to France are the exact antithesis to his pacific policy, the hatred for England and his admiration for France. But whatever the cost, he felt it his first duty to remove all foreign frictions and aggressions so that America could progress along her own lines. However, as Gilbert Chinard says, "No man can remain in public life for half a century without ever falling into contradictions and inconsistencies ... Jefferson was a very practical politician with a keen sense of possibilities and realities."⁷ He saw vividly the possibil-

4. To Wm. Duane, Ford, IX, 287, 1810.

5. To Thomas Leiper, Ford, IX, 520, June, 1815.

6. To Robert R. Livingston, April 18, 1802, Ford, IV, 431.

7.

ities of Louisiana and he knew too well the newly formed political relations of this territory.

When Napoleon took New Orleans from Spain, the farmers of the West grew uneasy and rightly so, for in 1802 Napoleon canceled the treaties that Jefferson had signed with Spain and closed New Orleans to American produce. With this action a new clamor of war spread throughout the West.

The Federalists in the East at this time, contrary to their ordinary policy, were all for peace. Although Jefferson had only this one determination: The French must not have New Orleans, no one but ourselves must own our own street door,⁸ he knew how to be consistent. He would use his cherished policy; peaceful negotiations; he would not plunge the country into war. Therefore, he sent Robert Livingston, our minister at Paris, instructions to arrange some sort of treaty. These instructions were most urgent, containing suggestions and considerations which he knew would find their way to Napoleon. The negotiations of this mission, he explained as most important for the future destinies of our country and he felt confident that these destinies could not be placed in better hands - for he was satisfied that what Livingston did not effect could not be effected.⁹ But Jefferson knew Napoleon too well to entertain the idea that he could be approached on the subject through

8. Old South Leaflets, 27.

9. To. R. R. Livingston, Ford, VIII, 210, February, 1803.

negotiations, so the President used a powerful instrument, friendship. He chose for this mission M. Dupont de Nemours who had been in the United States and was about to return to France. Jefferson wrote to Livingston begging him to cherish Dupont. As he says he had the best disposition for the continuance of friendship between the two nations, and perhaps Livingston would be able to make good use of him.¹⁰ And to Nemours, in whom he placed absolute trust, he writes concerning the instructions sent to Livingston to arrange the treaty: "You will perceive the unlimited confidence I repose in your good faith...and in your cordial dispositions to serve both countries when you observe that I leave the letters for Chancellor Livingston open for your perusal,"¹¹

which I wish you to read to possess yourself of completely, ... I wish you to be possessed of the subject, because you may be able to impress on the Government of France the inevitable consequences of their taking possession of Louisiana; ... and though, as I here mention, the cession of New Orleans and the Floridas to us would be palliative; yet I believe it would be no more; and that this measure will cost France, and perhaps not very long hence, a war which will annihilate her on the ocean, and place that element under the despotism of two nations, which I am not reconciled to the more because my own would be one of them. Add to this the exclusive appropriation of both continents of America as a consequence. I wish the present order of things to continue, and with a view to this I value highly a state of friendship between France and us. .. You know too how much I value peace.¹²

10. To Robert R. Livingston, 1802, Ford, VIII, 147.

11. To Dupont de Nemours, April, 1802, Wash., Ed., IV, 435.

12. Dumas Malone, Ed., Correspondence between Jefferson and Pierre Dupont de Nemours, Boston and New York, 1930, Houghton Mifflin Company, Riverside Press, Cambridge, 47.

Dupont was an apt scholar and learned his lesson well, for to him, too, the friendship of America and France meant much since he had chosen our country as his adopted home, as he reveals in his answer to Jefferson: "I understand the entire importance of this subject. It is the principal purpose of my trip. A war which would deprive me of America's pleasant sanctuary, unless I determined to renounce completely my native land, would be for me personally one of the greatest of misfortunes...." He thinks the United States, including the President, betray an ambition of conquest which must be suppressed. The possession of Louisiana by Spain did not alarm Americans because they did not look upon Spain as a first class power; and because they considered this colony of the Mississippi, Spain's storehouse for the army by means of which they expected to conquer Mexico in the future.¹³

Dupont himself was against war and abhorred the calamities which are inseparable from it. Such a war as Jefferson outlined in which England would come to the assistance of the United States and would bring the young Republic into a kind of subordination, he said, would necessarily cost the treasury four times the largest sum at which may be valued a harmonious arrangement and reciprocal good will.¹⁴ Dupont was fully cognizant of the financial standing of the United States and of the length of time necessary to pay the debts. He pointed out

13. Ibid., 49.

14. Ibid., 62.

to Jefferson that by extending this period three or four years long and acquiring New Orleans and the Floridas without war, he would have an excellent bargain, even from a pecuniary point of view.

A year later, he speaks again of the war in which Louisiana would be sacrificed, for it could only belong to France until the first war, then we would be on the offensive side, "the English, with their navy standing in the way of France's to bring aid, our geographic position, the military force we shall be able to employ will necessarily overcome any resistance offered by a distant country and inferior navy."¹⁵

Dupont's mission was to obviate this war. He was instructed to approach Talleyrand, whose hostility to the United States had become a personal and political passion. About this time Toussaint submitted and the occupation of Louisiana seemed imminent. Dupont's arguments were in vain and Napoleon answered by pressing Spain for the Floridas.

Meanwhile Americans were not sitting placidly at home reading about the actions of the government. The government was each man's affair; a vital organ in their lives and again they resorted to the accustomed method: argument. Jefferson kept Livingston aware of domestic occurrences and wrote him that the opposition caught it as a plank in a shipwreck, hoping it would win the western people to them. They longed for war, were intriguing in all quarters to stir up the western inhabi-
15. Ibid., 53.

tants to arm and assuming their own authority to possess in new shapes, inflammatory resolutions for the adoption of the House (of Representatives.)¹⁶

Rather than arm themselves to conquer, the Western people had more confidence in the Government at Washington for Jefferson, as we have seen, was keenly alive to their interests.

In February 1803, he again wrote to Dupont in much the same strain as in the previous year, trusting in his shrewdness to win Napoleon. The confidence, he said, which the two governments of France and the United States repose in him are not misplaced. America's confidence was founded on Dupont's knowledge of the situation, on his views, his good disposition towards our government, and finally and not the least weighty, on Jefferson's long experience of his personal faith and friendship. These gave the President every hope that Dupont would use them to render the highest services in his power for the benefit of both countries. Because Dupont had a freedom of communication with French statesmen from which the diplomatic gentlemen were excluded by forms, and in this way he could represent and reason with authorities without arousing too much suspicion.¹⁷

"Peace is our passion," Jefferson once wrote and what better incentive is there to peace than friendship among individuals and among nations. He relied upon this great seal of

16. T. R. R. Livingston, Ford, VIII, 209.

17. To Dupont de Nemours, February, 1803, Ford, VIII, 205.

union to win his cause from France: "You see," he said once more, "with what frankness I communicate with you on this subject; that I hide nothing from you, and that I am endeavoring to turn our private friendship to the good of our respective countries. And can private friendship ever answer a nobler end than by keeping two nations at peace, who, if this new position which one of them is taking were rendered innocent, have more points of common interest, and fewer of collision, than any two on earth; who become natural friends, instead of natural enemies, which this change of position would make them." 18

The New England Federalists, on the contrary, expected Jefferson to either adopt their policy and declare war on France, or witness the dissolution of the Union. They cried for war. All eyes turned to the President, eager for any sign of his intentions.

Diplomacy moved slowly at that time and little was done with regard to Louisiana from this correspondence with Dupont in February until the following October when he again expressed a wish to remain friends with France, though he steadfastly insisted upon the possibility of war in spite of all consequences that such an entanglement would bring. Nothing at that time, he said, could be risked between them and us to cause a breach of peace, - peace being indeed the most important of all things for us, except the preserving an erect and independent 18. To Dupont de Nemours, February, 1803, Ford, VIII, 207.

attitude.¹⁹ It was shortly after the writing of this letter that Morales, the Intendant at New Orleans, took upon himself to proclaim the right of deposit, held by Americans, to be at an end. This act was not authorized by the King of Spain, but was a result of a mistaken idea of the Intendant in the interpretation of the Treaty. Charles Pinckney, ambassador at Spain, was instructed to inform the Spanish government that the United States expected a countermand of Morales' order.

When Congress met on December sixth of the same year, its members anxiously awaited the President's decisions on the great question. Jefferson addressed the Assembly. No alarming words on the all important discussion were evident when he spoke of peace and friendship, of law and order, of all the usual subjects, as Indian troubles, seamen, revenue, were enfolded before them. He urged the building of a dry-dock to save what we already possessed in the navy. Ships decay that lie in water, and the repairs made necessary by this decay would consume a great portion of money destined to naval purposes. In order to avoid this waste, he proposed to add a dry-dock to the naval yard where vessels could be laid up dry and protected from the sun. He was careful to show the necessity of economy in every step regarding the navy and he had studied this situation to such an extent that he was prepared to present to Congress the plans and estimates of the work made by a skilled and experienced person. But what of the firebrand that

19. To R. R. Livingston, October 10, 1802, Ford, IV, 447.

inflamed all hearts and minds of those present? Surely he who studied even the least important thing to its very core, would have a presentation of the great question worthy of his talents and ability. But imagine the sentiments that must have electrified the listeners on hearing these brief words: "The cession of Louisiana to France, which took place in the course of the late war, will, if carried into effect, make a change in the aspect of our foreign relations which will doubtless have just weight in any deliberations of the Legislature connected with that subject."²⁰ Where were his principles of union and his justice to all nations to which he held so tenaciously - would he by his peaceful policy bring the States to ruin? The war party was disconcerted - What course did the President intend to take? Jefferson did it to gain time, he later admitted. He gave no cause for alarm.

Two days after the above Message, John Randolph, leader in the House, made a motion for the papers regarding the violated right of deposit. On December 22, 1802, Jefferson submitted a report from the Secretary of State "with the information requested in (your) resolution of the 17th instant."²¹

A week or more later, he sent added information on the same subject and to the Speaker of the House of Representatives, he addressed another despatch requesting that all these papers be

20. Messages and Papers of the Presidents - "Second Annual Message," December 15, 1802, 343.

21. Ibid., Message of December 30, 1802, 346.

kept from publication in order that Governor Claiborne's correspondence with Manuel de Salcedo be kept free, and the confidence of his communications secured.²²

Congress debated a week after the reception of the last communication and then announced publicly that the following resolution had been adopted by the House:

Adhering to that humane and wise policy which ought ever to characterize a free people, and by which the United States have always professed to be governed: willing at the same time to ascribe this breach of compact to the unauthorized misconduct of certain individuals rather than to a want of good faith on the part of his Catholic Majesty; and relying with perfect confidence on the vigilance and wisdom of the Executive, - they will wait the issue of such measures as that department of the Government shall have pursued for asserting the rights and vindicating the injuries of the United States.²³

Satisfying as this resolution must have been to Jefferson, yet he was not free from demands of war in other parts of the country. He describes in a letter to Monroe the demands being made in the West, which were founded upon honest motives; in the East, which were pure desires for war. Much of this opposition was instigated by the Federalists "in order to derange our finances or to attach the Western country to them as their best friends, and thus get again into power...The measures we have been pursuing, being invisible, do not satisfy their minds. Something sensible, therefore, has become necessary."²⁴

22. Ibid., Message of December 30, 1802, Translation of letter to Claiborne from Manuel de Salcedo, November 15, 1802, 348, 49, 50

23. Acts of Congress, 1802-1803, Resolutions of Jan. 7, 1803, 339.

24. To Monroe, January 13, 1803, Ford, IV, 453.

In order to make the invisible visible, Jefferson appointed on January 11, James Monroe, as minister extraordinary to help Livingston in the purchase of the Floridas and New Orleans. He goes therefore, Jefferson wrote, to join Chancellor Livingston and to aid in the issue of a crisis the most important the United States have ever met since their Independence, and which will decide their future character and career.²⁵ Monroe received the fullest instructions and he was authorized to give two million dollars, if nothing better was forthcoming, for the island of New Orleans alone. The desire, the Old South Leaflets say, was to secure also, ten million dollars, if necessary, being authorized for all, such portion of the French territory as lay east of the Mississippi. The acquisition of the immense tract west of the Mississippi was not at the time contemplated.²⁶ Chinard says that: "The instructions given to Monroe and Livingston on March 2, 1803, specified that should a greater sum (than two million dollars) be made an ultimatum on the part of France, the President had made up his mind to go as far as fifty 'millions of Livres' tournois, rather than to lose the main object."²⁷ Perhaps it was for this reason, Monroe and Livingston took the final measures which have been the subject of argument ever since. We, as has been said before,

find it almost impossible to imagine the snail-like pace com-

25. To Dupont, February, 1803, Ford, VIII, 204.

26. Old South Leaflets, The Cession of Louisiana, 27.

27. Chinard, Jefferson the Apostle of Americanism, 412.

munication took in those days. Therefore, it was necessary that in such an urgent case, it was of the utmost importance to give considerable leeways to the plenipotentiaries.

While Jefferson was pursuing these negotiations through the slow process of diplomacy, the Federalists spread the theory of war. They made great efforts in the Senate to force the President to seize the territory. On February 6, 1803, James Ross of Philadelphia introduced resolutions in the Senate stating that the infraction of the treaty rights with regard to Louisiana was an "aggression hostile to the honor and interest" of the United States, that it was inconsistent with the Union to hold rights to be so uncertain. He then urged the authorization of the President to take possession of this territory and that he call into service not more than 50,000 militia and that \$5,000,000 be appropriated to carry out these measures. John Breckinridge of Kentucky proposed as a substitute resolutions which gave the President power only to prepare for such action as he would deem necessary for the protection of the country in those parts.²⁸ Senator Breckinridge's resolutions were adopted.

Meantime Livingston had great difficulties in his intercourse with Talleyrand and Lebrun; he considered the whole project almost an impossibility and he determined to leave Paris. He thought Dupont, in good faith, had gone too far in

²⁸. Great American Debates - Marion Mills Miller, Litt. D., Ed., Current Literature Publishing Co., New York, C. 1913, II, 90.

giving certain ideas to the French Government. He was surprised that Dupont could mention the price, the designs of the court, etc., because he had no means of securing information from anyone.

Before Monroe could reach Paris, in fact, just the day before his arrival, Napoleon had come to a certain decision. A few months before, during the first week of the year 1803, Napoleon received news of Leclerc's death, and of the reverses of the French in Santo Domingo. At this same time, the successes in the East and in Egypt were most alluring to his war like nature, so that he abandoned the Mississippi expedition. This was a heavy blow to Joseph Bonaparte because he looked for colonial adventures in America where resistance would be weaker than in Europe and Asia. In an interview with Napoleon on this subject, Lucien Bonaparte mentioned the probability of non-approval by the Legislature. The Legislature! What is this to Napoleon who made and pulled down nations of the old world by his iron will? Joseph, too, threatened to mount the tribune in the Chambers and to lead the opposition to this surrender. Napoleon laughed scornfully, he assured the brothers that he alone would carry out the scheme.

The First Consul had planned an expedition against England; he needed money to follow the plan. Louisiana could scarcely be held for a moment in case of war if the United States should undertake the campaign. Much less could it be held if the

American people, in conjunction with the British fleet and nation, should undertake the conquest. Besides, Napoleon with a Frenchman's idea of things maritime, dreaded the sea-power of Great Britain. In the cession of Louisiana to the United States his prophetic eye, peering far into the future, saw the young republic become a world-power alone among nations able to lower the pride of the Mistress of the Seas.²⁹

Napoleon acted quickly, a characteristic of his great measures, and sending for Marbois, for he probably hesitated to trust Talleyrand with the handling of the money, Napoleon ordered him to see Livingston, then sole minister at Paris, that very day and make arrangements for the sale of the Colony, New Orleans and all the rest.³⁰ The following was his message to him:

Irresolution and deliberation are no longer in season; I renounce Louisiana. It is not only New Orleans that I cede; it is the whole colony, without reserve. I know the price of what I abandon. I have proved the importance I attach to this province, since my first diplomatic act with Spain had the object of recovering it. I renounce it with the greatest regret; to attempt obstinately to retain it would be folly. I direct you to negotiate the affair. Have an interview this very day with Mr. Livingston.³¹

Talleyrand, however, knowing of Napoleon's decision was the first to break the news to Livingston, by asking him if the United States wished to have the whole of Louisiana. Livingston

29. Barbe-Marbois, Histoire de la Louisiane, 282.

30. Channing, Jeffersonian System, 69.

31. Marbois, Cession de la Louisiane, 274.

dazed, replied in the negative and told him that he was authorized for the negotiation of New Orleans and Florida only, but the policy of France should dictate to give us the country above the River Arkansas. Talleyrand assured the American minister that if they gave New Orleans, the rest was of little value, concluding with the desire to know what would be offered for the whole. This was beyond all Livingston's thoughts but he suggested twenty million francs. This was too low an offer for Talleyrand and he advised a few days reflections on the subject after which he was to inform him of the results.

Livingston was anxious for Monroe's arrival for Napoleon's sudden change and the unusual offering of a vast territory was indeed disconcerting, for he had tried many months to argue with Napoleon to convince him that ambition was not America's character in this deal; it only wanted West Florida and New Orleans. Within this territory, were the mouths of some of its principal rivers. Talleyrand listened to this in silence, so his great surprise leaves nothing to be wondered at.

Monroe arrived in Paris, April 12, and he and Livingston spent the following day examining the papers, that they might be ready to act after Monroe's official presentation. That evening when the two ministers were entertaining at dinner, Livingston saw Marbois walking in the garden; he invited him in and made known to him Talleyrand's offer of the morning. Marbois assured him of the real nature of the affair and asked

him to visit him as soon as the dinner party disappeared. The American Minister was not slow to act and when he reached Marbois' quarters, the Frenchman repeated the story of his interview with Napoleon. The First consul wanted one hundred millions of francs, and the Americans claims paid by themselves, which would total about one hundred and twenty-five millions of francs.

This sum, when viewing the extent of the territory, does not seem enormous, and what American would not have accepted it on the spot? Livingston was instructed to offer ten millions for the Floridas and New Orleans alone; he continued to argue that America was not seeking the West Bank of the Mississippi. Marbois asked Livingston to name the sum. Arguments continued, then Marbois lowered the offer to sixty millions, with claims that amounted to twenty millions. Livingston showed the French minister that it was demanding too much from our treasury. This interview closed with a last protest from Livingston, and on his arrival home, he immediately wrote to Secretary of State, James Madison, assuring him of his triumph in this deal; he speaks of the vastness of the field that is offered, greater than his instructions contemplated. He thought the whole sum asked for the deal could be raised by the sale of the land west of the Mississippi to some European Power whom we did not fear. He wrote to the Secretary of State immediately after negotiations were opened in order to calm the tumult which news of war

would renew.³²

The American Ministers spent the following week in unsuccessful attempts to lower Marbois' figure. And while these negotiations were taking shape, bitter arguments and protestations were taking place between Bonaparte and his two brothers, Joseph and Lucien. Perhaps they had visions of ruling this vast territory, particularly dear to Lucien who had made the treaty for the retrocession. But Napoleon again assured them that he intended to sell it in spite of their opposition or of any that the government might raise.

Among the Ministers, however, little was done the two weeks following Monroe's arrival at Paris, then Napoleon drew up a scheme in which France was to cede Louisiana to the United States. Marbois presented this to Monroe and Livingston on April 27.³³ The Americans also made a project which was presented by Marbois to the First Consul on April 30. Monroe was presented on May 1 and on May 2 the treaty was signed. The American claims were signed about May 8 or 9, but all documents were antedated to April 30.³⁴

The First Consul represented his conduct not as a retreat from an insoluble situation, but as an act of grace to America and a blow to England. This accession strengthens the power of the United States, and gives a maritime rival to England that

32. Livingston to Madison, April 17, 1803, State Papers, II, 554.
 33. Monroe's Memoranda, Monroe MSS. State Department, Archives.
 34. State Papers, II, 508-09.

will soon humble her pride.³⁵

After Livingston signed the treaty, he rose and shook hands with Monroe, saying:

We have lived long, but this is the noblest work of our lives. The treaty which we have just signed has not been obtained by art nor dictated by force, and is equally advantageous to the two contracting parties. It will change vast solitudes into flourishing districts. From this day, the United States take their place among the powers of the first rank. The United States will re-establish the maritime rights of all the world, which are now usurped by a single nation. The instruments which we have just signed will cause no tears to be shed: they prepare ages of happiness for innumerable generations of human creatures. The Mississippi and the Missouri will see them succeed one another and multiply, truly worthy of the regard and care of Providence, in the bosom of equality, under just laws, freed from the errors of superstition and bad government.³⁶

Livingston had been a member of the Committee appointed to draft the Declaration of Independence, yet he called the above treaty the noblest of his works. By it he set the seal upon his first work; by this annexation, our boundaries were freed from any disturbing influences.

And the Old South Leaflets explain Napoleon's knowledge of the value of Louisiana and his desire to repair the fault of French negotiators of 1763 who abandoned it. The English took from France, Canada, Cape Breton, Newfoundland, Nova Scotia and the richest portions of Asia, but the Mississippi "they shall not have." Napoleon considered the possession of Louisiana by the United States more useful to France than if France itself

35. Rose, Life of Napoleon, I, 344.

36. Marbois and Old South Leaflets, 27.

should keep it.³⁷

As France had not yet taken possession of Louisiana since the secret Treaty, Napoleon had no right to sell it, legally or otherwise. Channing says:

The whole history of the transference of Louisiana from Spain to the United States through the medium of France is so absolutely opposed to legal and historical hypotheses that it seems quite useless to argue the matter on any such grounds...Napoleon sold us Louisiana, and we became possessed of Louisiana, simply and solely because we held the Spanish monarchy by the throat. Whatever he meant to take possession of under the name of Louisiana, he intended to hand over to us and handed over to us. In taking Louisiana we were the accomplices of the greatest highwayman of modern history.³⁹

What was the extent of the territory Napoleon handed over to us? Jefferson interpreted it to reach to the Rio Grande, to the frontier of California and North to Colorado. However, Jefferson made a mistake, the Spanish had claims on Texas and Spain refused to acknowledge this claim. Jefferson got the territory that now includes the states of Arkansas, Kansas, Missouri, Colorado, South Nebraska, Wyoming, Montana, Oklahoma, part of Texas, Iowa and part of Minnesota. In short, Jefferson summed it up in a letter to General Gates: "The territory acquired, as it includes all the waters of the Missouri and Mississippi, has more than doubled the area of the United States, and the new part is not inferior to the old in soil, climate, productions and important communications."³⁹

37. Old South Leaflets, 27.

38. Channing, 79.

39. To General Horatio Gates, Ford, VIII, 249.

The Treaty itself gave no indication whatsoever of the exact boundaries. It read as follows: "Louisiana with the same extent that is now in the hands of Spain, and that it had when France possessed it, and such as it should be after the treaties subsequently entered into between Spain and other States."⁴⁰

When Spain and France owned Louisiana, it included part of Florida, the Ohio Valley as far as the Alleghany Mountains and Lake Erie. Marbois asked the First Consul to define the boundaries, upon the American commissioners request, but he refused.⁴¹ They knew the Floridas belonged to Spain and were not included in the vast real estate deal. They sought help of France to secure this territory. France pledged her help verbally. The price paid for Louisiana was sixty million francs in United States six percent bonds, which in American money equalled about \$11, 250,000 with the addition of \$3,750,000 in payment of debts due by France to American citizens, the total was about sixteen million dollars. Napoleon spent the money in preparation for an expedition against England. Instead of hurting her in this treaty, on the contrary, he helped her because Louisiana was then opened to English commerce.

When Talleyrand sent a copy of the treaty to Decres, he asked him to take the steps necessary for carrying it out and explained the great transfer by the French in these words:

40. Treaties, Conventions, etc., between the U.S.A. and Other Powers 1776-1909, 513.

41. Marbois, Louisiana, 284-86.

The wish to spare the NorthAmerican continent the war with which it was threatened, to dispose of different points in dispute between France and the United States of America, and to remove all the causes of misunderstanding which competition and neighborhood might have produced between them; the position of the French colonies; their want of men, cultivation, and assistance; in fine, the empire of circumstances, foresight of the future, and the intention to compensate by an advantageous arrangement for the inevitable loss of a country which war was going to put at the mercy of another nation - all these motives have determined the Government to pass to the United States the rights it had acquired from Spain over the sovereignty and property of Louisiana.⁴²

These seemed benevolent words on the part of a nation, especially so when it had no authority whatsoever to sell a country that it had not yet taken possession of, and moreover Napoleon had promised Godoy in 1800 that the French would not sell Louisiana. But it is almost impossible to analyse Napoleon's reasons for the cession into the hands of America.

"When the news came out," Lisitzsky says, "Spain was indignant, the French journals even more so, and America was astounded. Perhaps no one more surprised than Jefferson that the French should give up an empire as easily as this. He was overjoyed, too - ever since he had been Secretary of State he had been afraid that England might some day acquire this territory."⁴³ He expressed this joy in a letter to General Gates, telling of the interest on the part of the whole nation,⁴⁴ and to James Monroe he wrote a word of congratulation in the following: Talleyrand to Decres, 4 Prairial, An XI, May 24, 1802; Archives des Aff. Etr. MSS, Adams, Book II, 55.

43. Lisitzsky, 292.

44. To Gen. Gates, Wash. IV, 494.

"This acquisition is seen by our constituents in all its importance and they do justice to all those who have been instrumental towards it."⁴⁵ Objections such as we find in the Memoirs of Jefferson give us the contrary opinion. The adversaries of Mr. Jefferson condemned it - his advocates blazoned it to the skies as a master-stroke of good policy, and an incalculable benefit to the country. The purpose was obvious - Bonaparte wanted money and our Executive wished to help him.⁴⁶ When difficulties in an enterprise have been foreseen, satisfaction in the attainment of the victory is augmented and so Jefferson's great pleasure can be analyzed from a letter to Dr. Priestly, January, 1803, where he mentions Louisiana, the speck on the horizon which was to burst into a tornado. This storm was avoided by frank and friendly intercourse on the part of Americans, and good sense on the part of Napoleon. Jefferson expected Napoleon to yield only when war was declared between France and England, but he thought it worth while to try the chance at our doors. It was the immediate prospect of a rupture that crowned the American efforts with success - a duplication of area.⁴⁷

The great area of which Jefferson here speaks also included West Florida. After the treaty was signed and arguments followed about the boundaries, Livingston claimed West Florida since the treaty read: "with the same extent that it now has in the hands of Spain, and that it had when France possessed it,

45. To James Monroe, Ford, VIII, 287.

46. Hay, Memoirs of Jefferson, 184.

47. To Dr. Priestley, Jan., 1804, Ford, VIII, 294. Old South Leaflet

and such as it should be according to the treaties subsequently entered into between Spain and other States." In 1762 when France ceded it to Spain West Florida was included in the transfer.

However Jefferson did not rest at ease after the signing of the treaty for he was beset with oppositions. In a letter to Breckenridge⁴⁸ he speaks of objections raising to the eastward against the large territory, and a demand for Louisiana or a part of it for the Floridas - "and I would not give one inch," he ends, "of the waters of the Mississippi to any nation, because I see in a light very important to our peace the exclusive right to its navigation, and the admission of no nation into it, but as into the Potomac or Delaware, with our consent and under our police." Thus Jefferson entertained no desire of selling, dividing or disposing of the new territory. He ambitioned to make it one in every respect with the Union, not to make separate confederacies as some Federalists planned, because as Jefferson says, neighborhood is seldom seen to produce affection among nations, rather, the contrary is true. "The future inhabitants," he continues, "of the Atlantic and Mississippi States will be our sons. We leave them in distinct but bordering establishments. We think we see their happiness in their union, and we wish it. Events may prove it otherwise; and if they see their interest in separation, why should we take side with our

48. To John C. Breckenridge, August, 1803, Ford, VIII, 243.

Atlantic rather than our Mississippi descendants. It is the elder and the younger son differing. God bless them both, and keep them in union, if it is for their good, but separate them, if it be better."⁴⁹

But why did Jefferson speak of this Union of the two territories? He had always professed allegiance to Washington's principles, not to annex countries to ours but to be content with our own as we received it. But Washington said: "Why by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor or caprice?"⁵⁰ Surely had we not annexed Louisiana, our history would today be the story of this interweaving of American and European destinies.

However, the great question to be considered concerning this bargain is that part of the treaty which made a positive provision that "the inhabitants of the ceded territory shall be incorporated in the Union of the United States, and admitted as soon as possible according to the principles of the Federal Constitution, to the enjoyment of all its rights, advantages, and immunities of citizens of the United States."⁵¹ Whence is this power derived? We first resort to the Constitution.

Jefferson was not unaware of the possibility of a difficulty of this nature as we conclude from his correspondence with Gallatin

49. Ibid., August, 1803, 243.

50. Addresses and Papers of Presidents, Wash., Farewell Address, 223.

51. Treaties, etc., between U.S. and Other Powers, 513-14-15.

in January 1803:

If the acquisition of territory, (Gallatin writes) is not warranted by the Constitution, it is not more legal to acquire for one State than for the United States...What could, on his construction, prevent the President and Senate, by treaty, annexing Cuba to Massachusetts, or Bengal to Rhode Island, if ever the acquirement of colonies should become a favorite subject with governments, and colonies should be acquired? But does any constitutional objection really exist? ...To me it would appear, (1) that the United States, as a nation, have an inherent right to acquire territory; (2) that whenever the acquisition is by treaty, the same constituted authorities in whom the treaty-making power is rested have a constitutional right to sanction the acquisition. 52

And Jefferson answers: "There is no constitutional difficulty as to the acquisition of territory, and whether, when acquired, it may be taken into the Union by the Constitution as it now stands, will become a question of expediency. I think it will be safer not to permit the enlargement of the Union but by amendment of the Constitution."⁵³ But a letter of August, 1803, has another keynote which was probably evoked after the territory was actually signed over to the United States. It reads as follows:

There is a difficulty in this acquisition which presents a handle to the malcontents among us, though they have not yet discovered it. Our confederation is certain confined to the limits established by the Revolution. The General Government has no powers, but such as the Constitution has given it; and it has not given it a power of holding foreign territory, and still less incorporating it into the union. An amendment of the Constitution seems necessary for this. In the

52. Gallatin's Works I. To Jefferson, Jan. 13, 1803, 112.

53. To Gallatin, Jan. 1803, Ford, VIII

meantime, we must ratify and pay our money, as we have treated for a thing beyond the Constitution, and rely on the nation to sanction an act done for its great good, without its previous authority.⁵⁴

Certainly, Jefferson had studied the question in all its phases and knew how far the Constitution held his powers. But casting aside all his staunch principles and his knowledge and convictions of the powers contained in the Constitution, he pushed forward his designs. Speaking of the government of Louisiana, he wrote to General Gates that he did not expect it to be a separate government, but that the island of New Orleans and the country on the opposite bank, will be annexed to the Mississippi territory. He would introduce American laws there; and the people would be under the governor of Mississippi.⁵⁵ It is interesting to note how swiftly Jefferson carried the whole country, his plans were not impeded, for each letter shows how thoroughly he possessed himself of the deal and how thoroughly he understood the people he governed. He explains the full situation to John C. Breckenridge in August 1803:

The Constitution has made no provision for our holding foreign territory, still less for incorporating foreign nations into our Union. The Executive in seizing the fugitive occurrence (Louisiana Purchase) which so much advanced the good of their country, have done an act beyond the Constitution. The Legislature in casting behind them, metaphysical subtleties and risking themselves like faithful servants, must ratify and pay for it, and throw themselves on their country for doing for them unauthorized, what we know they would have done for themselves had they

54. To John Dickinson, August, 1803, Ford, VIII.

55. To General Gates. July, 1803, Ford, VIII, 250.

been in a situation to do it. It is the case of a guardian investing the money of his ward in purchasing an important adjacent territory; and saying to him when of age; I did this for your good; I pretend to no right to bind you; you may disavow me and I must get out of the scrape as I can; I thought it my duty to risk myself for you. But we shall not be disavowed by the action, and their act of indemnity will confirm and not weaken the Constitution, by more strongly marking out its lines.⁵⁶

Jefferson drew up an amendment in July which he sent to his cabinet; it began with: "The province of Louisiana is incorporated with the United States and made part thereof."⁵⁷ It continues to speak of the rights of the Indians as they then enjoyed them. The draft created a special Constitution for the territory North of the 32°, reserving it for Indians; and the territory South of latitude 32° for a territorial government. The inhabitants were to have the rights of other territorial citizens. The draft, however, was not welcomed by his cabinet, and in August a special meeting of Congress for October 17 was called, to make all the necessary legislation to put the treaty into effect.

After Jefferson had written the above letter to Breckenridge, he heard rumors of a sudden change of mind on the part of Napoleon, so he immediately send dispatches to his Minister and friends in Paris to warn them that no mention of constitutional difficulties should be made by them.⁵⁸ And on his cabinet also he subjoined silence: "I infer that the less we say about con-

56. To J.C. Breckenridge, August, 1803, Ford VIII, 241.

57. Works, Ford, VIII, 241.

58. Ibid., August, 1803, 245.

stitutional difficulties the better; and that what is necessary for surmounting them must be done sub silentio."⁵⁹ In fact "sub silentio" is the characteristic feature of the whole proceeding of the Louisiana Purchase.

Since the first Amendment that he drew up was received so coolly, Jefferson proceeded to make a new draft. It was short, announcing the cession of Louisiana by France to the United States; it assured the white inhabitants of the territory the same rights to citizenship and on the same footing as other citizens of the United States. The land north of the Arkansas River was reserved for Indians until the new amendment should be made.

This pronouncement met the same fate as the earlier draft, for it meant that the Republicans who had rejected the theories of a strong central government in 1798 must now embrace them contrary to their opinions; and the Federalists objected on the grounds of its unconstitutionality, so Jefferson was alone. An interesting correspondence in September of 1803 between Jefferson and W.C. Nicholas brings out this point: "Upon an examination of the Constitution, I find the power as broad as it could well be made (Sec. 3, Art, IV) except that new States cannot be formed out of the old ones without the consent of the State to be dismembered; and the exception is a proof to my mind that it was not intended to confine the Congress in the admission of new States to what was then the territory of the United States."⁶⁰
59. Jefferson to Madison, August 18, 1803, MSS.

Jefferson answered:

Whatever Congress shall think it necessary to do, should be done with as little debate as possible, and particularly so far as respects the constitutional difficulty. I am aware of the force of the observations you make on the power given by the Constitution to Congress, to admit new states into the Union, without restraining the subject to the territory then constituting the United States. - But when I consider that the limits of the United States are precisely fixed by the treaty of 1783, that the Constitution expressly declares itself to be made for the United States, I cannot help believing that the intention was to permit Congress to admit into the Union new States, which should be formed out of the territory for which and under whose authority alone, they were then acting. I do not believe it was meant that they might receive England, Ireland, Holland &c. into it which would be the case on your construction. When an instrument admits two constructions, the one safe, the other dangerous; the one precise, the other indefinite, I prefer that which is safe and precise. I had rather ask an enlargement of power from the nation, where it is found necessary than to assume it by a construction which would make our powers boundless. Our peculiar security is in the possession of a written Constitution. Let us not make it a blank paper by construction. I say the same as to the opinion of those who consider the grant of the treaty making power as boundless. If it is, then we have no Constitution. If it has bounds, they can be no others than the definitions of the powers which that instrument gives.⁶¹

The letter continues by enumerating the powers permitted to the Federal Government, with those proper to Congress, making laws; to the President and Senate, making treaties; to the judiciary, by passing judicial sentences. He points out the probability of an error in the enumeration of these powers, defections that are characteristic of all that is human. We can go on perfectly.
 60. (continued from p.86) Jeff. MSS., W.C. Nicholas to Jefferson, September 3, 1803.
 61. To Nicholas, September, 1803, Ford, VIII, 247.

ing the Constitution by adding Amendments. He appealed for new power to set an example against broad construction.⁶²

These were the great questions for the next Congress, October 17, 1803, to decide upon and Jefferson said that with the wisdom of Congress it would rest. "This moment," Adams remarks, "was big with the fate of theories."⁶³ "So," as Beveridge says, "to his infinite disgust, Jefferson was forced to deal with the Louisiana Purchase by methods as vigorous as any ever advocated by the abhorred Hamilton - methods more autocratic than those which, when done by others, he had savagely denounced as unconstitutional and destructive of liberty."⁶⁴ He had asked that all be kept secret and now the proceedings took on a public form.

The Great debate began⁶⁵ on October 24, 1803, when Gaylord Griswold of New York moved for the papers the Government may possess which may show the value of the title to Louisiana. The first Federalist speaker opposed the treaty because of the uncertainty of the title of the purchased land; and not on the ground of the unconstitutionality of the actions of the American negotiators. This objection was easily disposed of and the opposition was immediately placed on the defensive. This showed that the Administration was exercising its constitutional

62. Ibid

63. H. Adams, Book II, 95.

64. Beveridge, VOL. III, 147, Adams, II, 120-28.

65. Great American Debates, 103.

right, and since this point was the first considered, it must be the main objection whereas it was merely a minor point. The Democrats then admitted the room for debate in the "minor" points and appealed to the patriotism of their opponents to waive the points. The horns of the dilemma were: Either Louisiana must be admitted as a State or must be held as territory. "In the first case," Adams explains, "the old Union was at an end; in the second case the national government was an empire, with 'inherent sovereignty' derived from the war and treaty-making powers, - in either case the Virginia theories were exploded. The Virginians felt the embarrassment, and some of them, like Nicholas, tried to hide it in a murmur of words and phrases; but the Republicans of Kentucky and Tennessee were impatient of such restraint, and slight as it was, thrust it away."⁶⁶ Senator Cocke closed the debate by the assertion "that the treaty-making powers in this country are competent to the full and free exercise of their best judgment in making treaties without limitation of power."

The vote was then taken and the treaty was ratified by a vote of twenty-six to five, and the Senate passed the bill.⁶⁷ This bill empowered the President to employ any part of the Army and Navy of the United States to establish the authority of the United States in the newly acquired territories, and was also authorized by Congress to direct a militia and to build

^{66.} Adams, II, 113.
^{67.} Acts of Congress, VII, First Session of the 8th Congress, Approved by Jefferson, October 31, 1803. Chapter I, 3.

arsenals which he found necessary; all powers to be applied under the direction of the President. Moreover, in Section two of this same act, the President was given full power over all the military, civil and judicial powers, exercised by the officers of the existing government of the same, and this power shall be vested in such person and persons and shall be exercised in such manner as the President of the United States shall direct for maintaining and protecting the inhabitants of Louisiana in the free enjoyment of their liberty, property and religion.

Here the great Democrat who had passed so many years wishing to reduce presidential authority to a minimum was invested by Congress, at his own instance, with a control that was absolute and over a territory larger than that of the United States, and as Channing says, he simply stepped into the shoes of the King of Spain.⁶⁸

It was not until November 30, 1803 that Napoleon's agent Laussat received possession of the land from the Count of Casa Caloo, the Spanish governor. Barbe-Marbois gives the account of the American possession on December 17, and his appreciation of the annexation in the following:

The United States had garrisons on the frontier posts. General Wilkinson having taken command of them advanced to the left bank of the Mississippi and established his camp on the 17th and 18th of December, 1803, at half a league from New Orleans. As soon as this division was in sight, the Spanish troops embarked and set sail

68. Acts of Congress, VII, First Session of 8th Congress, Chap. I, 3

for Havannah. "The next day, discharges of artillery from the forts and vessels, announced the farewell which the French magistrates were taking of the colony. They became forever strangers to a province of alternately Spanish and French, and which bore the name of one of our greatest kings.....This colony, which had always been exposed to inevitable vicissitudes under the laws of a state, from which it was separated two thousand leagues, was now undergoing its last crisis. This event was the end to uncertainties that had lasted for a century, and fixed forever the fate of these fine regions. The spontaneous acknowledgment of the independence of Louisiana, its annexation to the confederacy of a prosperous people were the acts of wisest policy; and those who shall hereafter observe their consequences, will admit that they ought to rank with the most important occurrences in the history of the early 19th century.⁶⁹

Laussat, accompanied by a numerous retinue went to the City Hall on the 20th of December, the day fixed for the delivery of the colony to the United States. At the same moment, he introduced the American troops into the capitol.

Claiborne and Wilkinson were received in form in the City Hall and were placed on the two sides of the prefect. The treaty of cession, the respective powers of the commissioners and the certificate of the exchange of ratification were read. Laussat then pronounced these words: "In conformity with the treaty, I put the United States in possession of Louisiana and its dependencies. The citizens and inhabitants, who wish to remain here and obey the laws are from this moment exonerated from the oath of fidelity to the French republic."⁷⁰

69. Marbois, Louisiana, Part III, 331.

70. Ibid., 356-57.

Jefferson would have been dumbfounded if anyone accused him of solidifying the very things he sought to destroy; he himself thought he was making America safe for democracy against a factious opposition. "The more factious, the more outrageous that opposition grew, the more reasonable appeared every step he took, whether it were in the direction of Democratic individualism or Federalists consolidation."⁷¹ The Louisiana Purchase with the Declaration of Independence and Lincoln's Emancipation Bill were the most daring deeds of American History. Each one marks a brilliant epoch and in each case the people consented and applauded; and in this case they applauded because Jefferson knew his people so well and could interpret their sentiments; and because of his "intense faith in the ultimate good sense of the people which was the most powerful characteristic of Jefferson."⁷²

The Louisiana Purchase was the great triumph of Jefferson's passion for peace and could he have chosen a better subject to deal with than the great warrior Napoleon? Jefferson first knew how to keep himself in peace, how to wait patiently, and with these weapons he could conquer whom he wished. He acquired by peaceful negotiation at a moment of extreme stress a vast territory which could not be compared with the few miles of soil Napoleon had won by drenching them with blood and fire.⁷³

71. F. Pratt, Heroic Years, 73.

72. Fiske, Critical Period of American History, 226.

73. J.T. Adams, Heroic Years, 76.

CHAPTER IV

AARON BURR

There is only one Aaron Burr, Mr. Caleb says in American history, and it is safe to add, in all history. Where else do we find such conflicting elements in any other character than in this man, who seemed to be acting the exact contrary to interior convictions. "He was at once man of the world, student madman, schemer, diplomat, leader."¹ His father was an eminent divine, yet he was an avowed atheist; he was listed in 1786 among the leading attorneys in New York with Alexander Hamilton, a friend,² and later was indicted for the murder of his co-worker; finally he received in the Vice-Presidency one of the highest honors bestowed upon citizens and he was later tried for treason.

It is interesting to watch the growth of a child who later plays such an unusual role among his fellow citizens. Aaron Burr was born on February 6, 1756, born a son, grandson, great- and great-great-grandson of the Gospel on both sides of his house.³ Only a year later, 1757, his mother could write of him:

"He begins to talk a little, is very sly and mischievous. He

1. Wandell, S.H., and Meade Minnegerode, Aaron Burr, New York, 1925, Introd. by W.F. McCaleb, XI.

2. Warshow, Robert, I, Alexander Hamilton, Greenberg, New York, c. 1931.

3. Wandell and Minnegerode, Aaron Burr, 11.

has more sprightliness than Sally (his sister)... He is very resolute and requires a good governor to bring him to terms."⁴ However, this seems a rather early age to distinguish such marked qualities. Within the course of the following year Sarah and Aaron Burr lost their parents and maternal grandparents, and they were taken to live with their uncle, Timothy Edwards, an ardent disciple of Puritanical severity. He provided various tutors to instruct Aaron and his young brother-in-law, Matthias Ogden who became a life-long friend of Aaron. Aaron made such progress in his studies that at the age of eleven he was ready to enter college.

At Princeton he again met with great success in his class and "at his own graduation exercises, in 1772, at which William Patterson found the speakers tolerable - none of them very bad nor very good - 'our young friend Burr made a graceful appearance; he was excelled by none except, perhaps, by Bradford.'"⁵ He was graduated at sixteen. His biographer gives us a splendid picture of the young man at this time; of great courage, energy, generosity eloquence and wit. His keen mind gave promises of great talents. "A disciple of mystery, which was perhaps the forerunner of intrigue; a stoic, jealously watchful of his own emotions, indefatigably aware of his eager ambition, ... a subtle persuader of men's minds, an irresistible borrower of their hero-worshipping hearts; a fascinating, disturbing,

4. Ibid., 13.

5. Ibid., 27.

curiously contrived young man."⁶ Strong influence was brought to bear upon him to study for the ministry, and, acquiescing to a friend's ardent plea, he went to Bethlehem in 1773 to study theology under the venerable Reverend Joseph Bellamy, a pupil of his grandfather, Jonathan Edwards.⁷ He soon found it distasteful and turned to the practice of law, from which he drifted naturally into politics.

War clouds had been gathering as the news of the Stamp Act, the Boston Massacre, the Boston Tea Party, and the Continental Congress succeeded one another. In April 1795, Aaron no longer had a desire for books, they were closed and he and Matthias Ogden were numbered among the enlisted men. Little was done, it seemed, among the New Englanders so when Burr learned that Colonel Benedict Arnold was enlisting men for an expedition against Quebec in Canada, Mr. Ogden and Mr. Burr of the Jerseys both offered their services, and Samuel Spring was going, too, as chaplain, and a certain Mr. James Wilkinson of Maryland.⁸ Colonel Arnold speaks of Burr's bravery in a letter of introduction to General Montgomery - it reads: "...he is a young gentleman of much life and activity and has acted with great spirit and resolution on our fatiguing march. His conduct, I make no doubt, will be sufficient recommendation to your favor."⁹

And of his war activity his biographers are loud in their

6. Ibid., 32.

7. Ibid., 34.

8. Ibid., 42.

9.

praises. Of Montgomery's death, we read the following in a letter from Reverend Gardner Spring: "My son," his father (Spring's) asks, "I must see Burr before I leave the city. I went through the woods with him under Arnold. I stood by his side on the plains of Abraham, and I have not seen him since the morning of which Montgomery fell. It was a heavy snowstorm. Montgomery had fallen. The British troops were advancing toward the dead body; and little Burr was hastening from the fire of the enemy, up to his knees in snow, with Montgomery's body on his shoulders! Do you wonder I wish to see him?"¹⁰ This is perhaps only a legend, however, the truth seems to be that he made the attempt under fire to rescue the body of Montgomery, and it is indicative of Burr's courage on the battle-field. Craigmyle may be extending his laudatory comments too far when he says that: "Perhaps no man in America, except Washington himself, had been more distinguished and valorous in war than Aaron Burr. And to those distinctions as a soldier he had added the graces and charm which in a delicate body had been the furhishing of a scholarly mind."¹¹ Washington heard of Burr's bravery, and upon his return from Canada, the Commander-in-Chief appointed him a member of his staff. But Burr soon became discontented finding Washington to his dislike, a man of an independent habit of mind. The young Captain soon received a commission from John Hancock as aide to General Putnam. When

10. Letter from Rev. Gardner Spring to M.L Davis, Preface of Private Journal, New York, Brick-Church Chapel, October 24, 1838, IV.

he was appointed Lieutenant-Colonel in 1777 he was not pleased, nevertheless he endeared himself to his men. Generosity towards his men and unusual thoughtfulness for their comforts awakened a ready response to Burr's disciplinary code so that the regiment became a model in this line. "There was something about this little man which compelled obedience, and inspired loyalty...."¹² It is interesting to note here that while Burr himself developed these militaristic virtues in others, he himself seemed wanting in straightforwardness. He befriended the unfortunates who found obedience and loyalty a burden. His impertinence to Washington, his intimate friendship with Benedict Arnold and his approval of General Lee's misbehavior, show friendly relations with popularly accepted traitors.

The law books cast aside when he entered the army were again picked up. The law practice steadily increased in New York and from that politics entered into his life. He was elected to the Senate of the United States in 1791 and in the election of 1800, he was made candidate of the Republican Party for Vice-President. It was at this time we find the two law partners of other days bitter enemies. Hamilton disliked Jefferson but believed him better than Burr, so in the election held in Congress to decide the even votes of Jefferson and Burr, "Hamilton showed that moral quality which raised him in great crises above party."¹³ He induced some Federalists to withhold

11. Craigmyle, Marshall in Law, 89.

12. Wandell, Minnegerode, 70.

13. Bassett, Short History of the United States, II, 290.

their votes, thus making Jefferson the victor. In December 1800, Hamilton wrote to James Bayard his appreciation of Burr: "Be assured, my dear sir, that this man has no principles, public or private. As a politician, his sole spring of action is an inordinate ambition; as an individual, he is believed by friends as well as foes to be without probity; ... I am sure there are no means too atrocious to be employed by him ... Corrupt expedients will be to him a necessary resource."¹⁴ In other letters, Hamilton denounced him as a "complete Cataline," an "agent of the French government."¹⁵ Jefferson distrusted Burr from his earliest acquaintance with him in the Senate.¹⁶ He never thought him honest nor frank but looked upon him as a perverted machine, and while Burr had the confidence of the nation, Jefferson thought it his duty to respect this confidence and tried to treat Burr as if he deserved it.¹⁷ As Vice-President, Burr realized it was no field to exert influence upon the Administration, and besides he was ignored since Jefferson allied himself with the Clintons of New York. Because he was politically bankrupt, Burr tried new fortunes in 1804 by offering himself as candidate for Governor of New York, an office then held by George Clinton.¹⁸ In the month of January of the same year, he called upon Jefferson who gives the account of this visit in the Anas:

14. Hamilton's Writings, Lodge, VIII, 573.

15. Warshow, Alexander Hamilton, Greenburg, New York., c. 1931, 210.

16. Anas, Ford, I, 304, 1804

17. To William B. Giles, 1807, Ford, IX, 46.

Colonel Burr the Vice President called on me in the evening (January 26, 1804) having previously asked an opportunity of conversing with me. He began by recapitulating summarily that he had come to New York a stranger, some years ago; that he found the country in possession of two rich families (the Livingstons and the Clintons); that his pursuits were not political and he meddled not. When the crisis, however, of 1800 came on, they found their influence worn out, and solicited his aid with the people. He lent it without any views of promotion. That his being named as a candidate for Vice President was unexpected by him. He acceded to it, with a view to promote my fame and advancement, and from a desire to be with me, whose company and conversation had always been fascinating to him. That since, those great families had become hostile to him, and had excited the calumnies which I had seen published. That in this Hamilton had joined, and had even written some of the pieces against him. That his attachment to me had been sincere and was still unchanged, although many little stories had been carried to him, and he supposed to me also, which he despised; but that attachment must be reciprocal or cease to exist, and therefore he asked if any change had taken place in mine towards him.¹⁹

This was as one would readily understand only the preliminary for the real cause of the visit. The account continues to narrate that it was for the interest of the party for him to retire now, but under the circumstances, some may consider the retirement discreditable; therefore he asked "some mark of favor from me, which would declare to the world that he retired with my confidence," - some executive appointment. Jefferson could do nothing but decline, and "Burr then began an intrigue with the Federalist leaders of New England."²⁰

18. (continued from p.) Johnson, Allen, Jefferson and His Colleagues, New Haven, 1921, 108.

19. Anas, Ford, I, 301.

This group of Federalists was playing with the idea of secession.²¹ The post of governor was vacant at this time; and in February Burr was chosen by the discontented Republicans of New York to run for governor. He was dejected and some hold to the opinion that if he had been elected governor a new impetus would have been given toward the movement of secession so strong in New England.²² It was Hamilton's intervention that brought about Burr's defeat. Seeking a similar ambition along the same paths, their careers were an intervening of interests and activities.²³ Burr crossed Hamilton frequently. When Hamilton was secretary of the treasury, Burr was attorney general of New York. Burr won his seat in the Senate through the defeat of Hamilton's father-in-law, Philip Schuyler.²⁴ From the election of 1800, Hamilton found no words strong and bitter enough to express his opinion of Burr as private citizen and public man. Burr did not retaliate them, because he was either ignorant of them or he wished to ignore them. He had reason to attribute his defeat in the presidential election of 1801 to Hamilton and not long afterwards he confronted Hamilton with charges. On June 18, 1804, he wrote the following letter to Hamilton: "Sir, I sent you for perusal a letter signed Charles

D. Cooper, which, though apparently published some time ago, 20. (continued from p.) Johnson, Jefferson and Colleagues, 109

21. Beveridge, Life of Marshall, III, 281.

22. Chinard, Jefferson, 431.

23. Warshow, Hamilton, 207.

24. Ibid., 208.

has but very recently come to my knowledge. Mr. Van Ness, who does me the honor to deliver this, will point out to you that clause of the letter to which I particularly request your attention. You must perceive sir, the necessity of a prompt, unqualified acknowledgement or denial of the use of any expressions which would warrant the ascertions of Dr. Cooper."²⁵

Hamilton gave Burr little satisfaction in explanatory letters which followed. In the following few days, both repeated the exactions of particulars and by June 26, the correspondence was being conducted by Major Pendleton for Hamilton and by W.P. Van Ness for Burr, ending in a formal challenge on the part of Van Ness and "the stage was set for the great duel which was to end all dueling as gentlemen's prerogative."²⁶

Hamilton asked a few days to arrange his affairs. The date for the meeting was set for July 11. Hamilton explains his motives for meeting Burr in a statement he left. He affirms that his moral and religious principles are opposed to the practice of dueling and he would always be grieved if he were the cause of shedding the blood of another in such a combat. It continues with references to his family, to his creditors and ends with the affirmation that he holds no ill-will against Col. Burr apart from political opposition. The conclusion is: "But it was, as I conceive, impossible for me to avoid it.

There were intrinsic difficulties in the thing and artificial

25. Hamilton's Writings, Lodge, VIII, 617.

26. Warshow, Hamilton, 214.

embarrassments, from the manner of proceeding on the part of Col. Burr."²⁷ Hamilton intended to throw his first shot away. He did so, and Warshow says: "On the other hand, Burr's most recent biographer, Johnston D. Kerkhoff, intimates that Hamilton's statement was a clever ruse to justify himself, should he go down, and that he was as anxious to kill Burr as Burr was to dispose of Hamilton."²⁸ Hamilton fell July 11, 1804, and as an author says: "It has been said that the bullet which struck Alexander Hamilton killed Aaron Burr."²⁹

Burr's term of office as Vice-President of the United States ended on March 4, 1805, but before tracing his devious activities in the Louisiana Territory, we must glance briefly at that section of the country in 1805. The pioneers in the West were constantly irritated by the arrogance of the Spanish authorities especially in New Orleans, and what was even more galling was the lack of sympathy received from the East. This was true since the older brethren were jealous of their younger beyond the Alleghanies and their desire to see the two parts separated was no secret. Jefferson himself at one time sensed this,³⁰ expressing the wish to see them separated if it be for their good.

So the idea of secession was not a new thing, for Union even in the East seemed weak in the scheme for the Northern

27. Hamilton's Writings, Lodge, VIII, 626.
 28. Warshow, Hamilton, 219.
 29. Wandell and Minnigerode, Burr, II, 339.
 30. Letter to Breckenridge, quoted in Beveridge's Marshall, 1803, III, 283.

Confederacy.³¹ It was also thought that the French and Creoles of Louisiana were hostile to the United States Government and would seize the first chance to throw off its yoke.³²

As we have pointed out previously, the Louisiana Purchase made Jefferson popular in the West, but the opposition to this deal tended to draw the East and West apart. Added to this, the dispute over the boundaries of the newly acquired territory seemed unsoluble except by the sword.³³ And in May 1805 James Monroe, Envoy Extraordinary to Spain left Madrid and war between the two nations appeared inevitable.³⁴ The people of the West received this news with enthusiasm, being regarded as a just vindication of our rights and as a means to free the supposedly down-trodden Mexicans.³⁵ Even the peace loving President was aware of these conditions and gave evidence of the national conviction in two messages to Congress, December 3 and 6, 1805, when he spared no words in describing Spanish misdeeds, and left the impression that a state of war really existed.³⁶

Such in broad outline was the general state of things when Aaron Burr, his political and personal fortunes wrecked, cast about for a place to go and for work to do. He could not return to his practice in New York; there his enemies were in absolute control... Only in the fresh and undeveloped West did a new life and a new career seem possible ... He thought of forming a company to dig a canal around the falls of the Ohio and to build a bridge over that river con-

31. Powell, Edward Payson, Nullification and Secession in the United States, New York, 1897, 131.

32. Ibid., 173.

33. McCaleb, W.F., The Aaron Burr Conspiracy, New York, 1903, 11.

34. Ibid., 105.

35. Ibid., 110.

necting Louisville with the Indiana shore. He considered settling lands in the vast dominions beyond the Mississippi which the nation had newly acquired from Spain. A return to public life as Representative in Congress from Tennessee passed through his mind. But one plan in particular fitted the situation which the apparently certain war with Spain created. Nearly ten years earlier Hamilton had conceived the idea of the conquest of the Spanish possessions adjacent to us... Aaron Burr had proposed the invasion and capture of Floridas, Louisiana and Mexico two years before Hamilton ... used the desire to carry out the plan continued strong within him.³⁷

This desire of conquest and the schemes to realize it were not sudden creations. When he was presiding over the impeachment proceedings of Judge Chase, Burr, the Vice President of the United States, was sounding the delegates of the western States, "ingratiating himself to them and the wildest dreams of empire were haunting his feverish imagination."³⁸

When Burr left the Capital, March 2, 1805, after his very dignified speech that deeply affected his hearers, he was to all intents and purposes a ruined man. His finances were in utter confusion; his duel with Hamilton had brought down upon him a storm of obliquy and in New Jersey he was under indictment for murder.³⁹ But his mind and imagination were too

active to wrestle long with difficulties without evolving a plan which, McCaleb says, was "an enterprise simple enough in
³⁶ (continued from p.) Richardson, Messages and Papers of the Presidents, I, 384-34; 388-89.

³⁷. Beveridge, Marshall, III, 285-87.

³⁸. Chinard, Jefferson, 431.

³⁹. Wandell and Minnegerode, 309.

itself, but which through the tangling of his own web and the interplay of circumstances over which he had no control, was destined to become a puzzle for succeeding generations."⁴⁰

On April 10, 1805, Burr set out in a leisurely fashion on the westward journey which was later to have such far reaching consequences. By way of Pittsburg he went to New Orleans where there were many of his acquaintances to welcome him. Henry Adams gives us an idea of his influence at this time in the following:

When Burr ceased to be Vice-President of the United States, March 4, 1805, he had already made himself intimate with every element of conspiracy that could be drawn within his reach. The list of his connections might have startled Jefferson if the President's easy optimism had not been proof to fears ... The Creole deputies from New Orleans were Burr's friends and Derbigny was acquainted with 'certain projects' he entertained. General Wilkinson, Governor of the Louisiana Territory whose headquarters were at St. Louis, closely attached to Burr, almost from childhood, stood ready for any scheme that promised to gratify inordinate ambition. James Brown, Secretary of the Territory, was Burr's creature, Judge Preoost of the Superior Court at New Orleans, was Burr's stepson.⁴¹

These with other influential characters of the South, were ready to follow their leader. Burr seemed certain of success in uniting all these influences to raise his standard in the Mississippi Valley. The reason for this first tour was never definitely given but it seems to have been threefold: First,

⁴⁰To ascertain the sentiments of the people of the West, upon

40. McCaleb, 15.

41. Adams, History of the United States, III, 219.

the subject of a separation from the Atlantic States. Secondly, To enlist recruits and make arrangements for a private expedition against Mexico and the Spanish provinces in the event of a war... which seemed inevitable, Thirdly, In the event of a failure of both of these matters, to purchase a tract of land of Baron Bastrop, lying in the territory of Louisiana on the Washita river. Upon this he contemplated the establishment of a colony of intelligent and wealthy individuals."⁴²

It is an easier task to describe the schemer's later movements than his early designs. The instability of his imagination caused lightning-like changes of plan, he was an opportunist in conspiracy as in everything else.⁴³ Burr left the capital with his financial conditions in a hopeless state, so as Channing says "the form which the scheme took at any one moment depended very largely upon the person to whom Burr... happened to be talking at the moment, and the probability of that person providing money for their depleted cash boxes."⁴⁴ It is interesting to accompany the ex-Vice-President on this trip in 1805 and meet many persons who were to play an important part in his future schemes. After his last interview with Merry in March, in which they arranged terms to be sought from the government of England, Burr went to Philadelphia, then to Pittsburg on his way to New Orleans. Wilkinson was to join him here but he was delayed, so Burr set out alone. Traveling

42. Safford, William, Blennerhassett Papers, Cincinnati, 1864, 106
 43. Channing, Jeffersonian System, 158.
 44. Ibid., 158.

down the Ohio River, he stopped a short time at an island a few miles below Parkersburg, and named Blennerhassett after its owner. It was magnificent estate owned by an eccentric Irishman who at that moment was away, but his wife invited Col. Burr and his companions to dinner. Parton tells us that she was exceedingly pleased with her visitor and remained a loyal friend through all the long series of events that followed this first interview.⁴⁵ Her interest in him may have influenced her husband, Harmon Blennerhassett, who was equally charmed to meet this fascinating guest, and before long, all his property was at Burr's disposal.

At Cincinnati, he was the guest of Senator John Smith, joining ex-Senator Dayton who was already there. Wilkinson arrived a few days after Burr left, and the General talked much regarding a proposed canal around the falls of Ohio. At Frankfort, Kentucky, Burr stayed with Senator Brown to meet General John Adair, perhaps the foremost Kentuckian of his day.⁴⁶ The conspirator "talked with everybody," his biographers say, "about war with Spain and a possible expedition to Mexico, but not a syllable concerning separation does he seem to have uttered."⁴⁷

In Nashville, Tennessee, his arrival was received with enthusiasm. "The newspapers described his arrival and reception

there as one of the most magnificent parades that ever had been
45. Parton, James, The Life and Times of Aaron Burr, Boston, 1886, II, 38.

46. Wandell and Minnegerode, 43.

47. Ibid., II, 45.

seen at that place ... everybody at and near Nashville, seemed to be contending for the honour of having best treated or served Colonel Burr."⁴⁸ At Nashville, he was the guest of Andrew Jackson at the Hermitage.⁴⁹ Early in June, he embarked on a boat of Jackson's and floated down the Ohio to Fort Messac where he met General James Wilkinson. This individual was undoubtedly the arch-villian of the whole affair and he was so steeped in treachery that Burr and Arnold, the two classic examples of American history, appear like infants beside him. From 1788 he had been a paid spy of the Spanish government, Number 13 in their official records.⁵⁰ Moreover in 1796 he succeeded Anthony Wayne as Commander-in-Chief of the Army of the United States,⁵¹ and in 1805, Jefferson appointed him Governor of Upper Louisiana. Years later, John Randolph wrote of him: "Wilkinson is the only man that I ever saw who was from the bark to the very core, a villian. The proof is unquestionable...suffice it to say that I have seen it, and that it is not susceptible of misconstruction."⁵² It is true that Randolph was greatly partisan in his views, but modern historians support this judgment unanimously.

Burr and Wilkinson now renewed their old friendship. They had fought together at Quebec, and whatever the subject of their

48. Col. M. Lyon's Deposition, Wilkinson's Memoirs, II, Appendix No. LXVIII

49. Parton,

50. Wandell and Minnegerode, Burr, II, 5.

51. Ibid., 7.

52. Ibid., 197.

of their four days' discussion, it was most amicable, as Burr wrote to his daughter. The General and his officers fitted him out with an elegant barge, sails, colors, and ten oars, with a sergeant and ten able hands.⁵³ With all this, Wilkinson sent him with a letter of introduction to Daniel Clark, the richest and most important American in New Orleans. Dated June 9, 1805, it announced that the bearer was carrying secrets: "To him I refer you for many things improper to letter and which he will not say to any other."⁵⁴

Burr reached New Orleans in June 1805 and remained a few weeks. Wilkinson tells how Burr became acquainted with a Mexican association and found Daniel Clark leagued in it, "had the address to induce him to believe, that I, together with the army, would be ready to unite in the expedition; and in order to give spirit and vigour to the conspirators, persuaded Mr. Clark, that the obscure expressions in my letter, had reference to the plan of invading Mexico."⁵⁵ Clark insisted he was not a member of this association. After Burr arrived in New Orleans he used his influence to make the scheme of disunion a part of the Mexican plan.⁵⁶ These projects soon became broadcast to the distress of Clark who wrote to Wilkinson: "Many absurd and wild reports, are circulated here, and have reached the ears of the officers of the late Spanish government respecting our

53. Adams, III, 222.

54. Ibid., 222.

55. Wilkinson's Memoirs, II, 284.

56. Adams, III, 224.

ex-Vice-President. You are spoken of as his right hand man ...The state is a horrid one, if well told. Kentucky, Tennessee, the state of Ohio, the four territories on the Mississippi and Ohio, with part of Georgia and Carolina, are to be bribed with the plunder of the Spanish countries west of us, to separate from the union: this is but part of the business."⁵⁷ Wilkinson wrote to Burr of a certain "Minor of Natchez," mentioned in Clark's letter, and Burr's response begged the general not to disturb himself about Minor a man of such levity that he could not confide in him.⁵⁸

So Burr's schemes were no secret. The British Minister was alarmed at the publicity given the plot, and wrote to Lord Mulgrave denouncing Burr's indiscretion.⁵⁹ Turreau too, the French Minister wrote to his government mentioning the separation between the Western and Atlantic States. Burr returned northward through Natchez to Nashville where he spent a little time with Andrew Jackson. During the week he spent at St. Louis, he discovered Wilkinson somewhat discouraged in his efforts to seduce the people into the scheme.⁶⁰ As it was later shown in his evidence of the Burr Trial: "Mr. Burr, speaking of the imbecility of the government, said it would moulder to pieces, die a natural death, or words to that effect...To this I recollect replying that if he had not profited more by his journey in other respects, he had better have remained at Washington or

57. Clark to Wilkinson, Wilkinson's Memoirs, II, Appendix, XXXIII.
 58. Wilkinson's Memoirs, II, Appendix, LXXXVI.
 59. Adams, History III, 226. 60. Ibid., 227.

Philadelphia; for 'surely', said I, 'my friend, no person was ever more mistaken. The Western people disaffected to the government! They are bigoted to Jefferson and democracy!"⁶¹

Burr returned to Washington in November 1805; it was then he learned that Great Britain had made no answer to the request for ships and money; this was a great contrast to the success his plans met during his westward journey. Sensational rumors were afloat in Washington as to the reason and results of this trip. Evidently the government must have been aware of all this, for even the newspapers talked about it, and it seems probable that in view of the actual unfriendly relations with Spain, an expedition to Mexico would have been discreetly ignored while in process, and accepted as a "fait accompli," if successful.

This refusal on the part of Great Britain to supply money was indeed a great blow because the want of money was ever a drawback to Burr's plans. It was necessary then to make schemes to secure financial support. It is difficult to trace his intrigues with foreign diplomats, or to estimate, the sincerity of the proposals he suggested. Bassett in an exasperated tone says of him:

In all his negotiations, Burr lied so much that it is useless for the historian to try to discover which of the schemes was the true one. He lied to the British minister about his support in the West: he lied to the Spanish minister about his failure with the British minister; and he lied to the people

61. Wilkinson's Evidence, Burr's Trial, Annals of Congress, 1807-8

of the West as it suited his convenience. He told the West that England was supporting him; when he observed their hostility to Spain, he talked about taking Mexico; and when they expressed a desire for Mobile he dropped hints of taking Florida. At the same time he told Yrujo, Spanish minister, not to be alarmed at rumors of an attack on Florida or Mexico since such reports were only part of the game. To the politicians of the West, he said that the government in the East was sure to dissolve. To a small group of intimates he said that he would join a body of Mexican patriots, overthrow the Spanish authority and make himself king of Mexico. His beautiful daughter, Theodosia, dreamed of being a princess, while his lieutenant, the enthusiastic Blennerhassett, exulted in the prospect of representing the new state of England. Burr is supposed to have given his best confidence to Wilkinson, but for all their correspondence was in cipher, it is evident that he did not reveal to his confederate, the failure to get money in England.⁶²

These schemes for money had long been in process for as early as August 6, 1804, Burr had interviewed Anthony Merry, British minister to the United States, and assured him that the inhabitants of the Louisiana territory and those of other western sections were eager for separation from the United States, but they looked first to ally themselves to some great power. Their choice was England, but if Great Britain rejected their proposals, they would then appeal to France. He expected the French Government to receive them warmly.⁶³ His demands were only for about one hundred thousand pounds, and about a half dozen vessels to be stationed at the mouth of the Mississippi.⁶⁴ A short time before this the New England Federalists

62. Bassett, Life of Andrew Jackson, New York, 1910, 40.

had made known to Merry their intentions to divide the Union, and he saw little difference between that and this present scheme. For, so far as the proposal of treason was concerned, there was no difference between the moral delinquency of pickering, Griswold, Hillhouse, and other Federalists and that of Aaron Burr.⁶⁵

So it can be understood that there was nothing unusual or extraordinary about all this and the British Minister must have been aware of the prevailing sentiments. And we read: "If Mr. Merry knew anything at all about America, he knew that the idea of separation as a solution of domestic disputes, was considered perfectly normal and logical, even by Mr. Jefferson himself, the guardian ostensibly of the Constitution. If the obligation of membership in the Union became too irksome, if the federal policy ran counter to local interests - leave the Union. The West had been talking of it for years."⁶⁶

The British minister, however, though his official dispatches prove his interest, could get no response from England, and Burr could not wait. He abandoned the hope of financial aid from England towards the end of 1805; Merry was still caught in the web of intrigue and a new victim was necessary.

Therefore Dayton approached the Spanish minister, the Marquis de Casa Yrujo, in December 1805, with a carefully prepared story for which he expected a goodly sum. In short,
 63. (continued from p.111) McCaleb, Aaron Burr Conspiracy, 21.
 64. Ibid., 23.
 65. Beveridge, John Marshall, III, 289.

according to the report of Yrujo to Cevallos, the Minister of State, the English Government, instigated by Colonel Burr, was meditating the seizure of the Floridas in February or March, upon which the Western States would at once declare their independence. In order to make the revolution more popular, "after having taken the Floridas," McCaleb says, "the expedition against Mexico would be attempted; that Miranda (leader of an attempt to revolutionize Venezuela) had just been sent to this country by the English Government to act in concert with Burr; that no opposition from the feeble Federal Government was anticipated; that the United States troops were nearly all in the West and that Colonel Burr had caused them to be sounded in regard to an expedition against Mexico; that they were all ready to follow him....In the operation against Mexico, England would cooperate by sea."⁶⁷

The Spanish minister was at swords' points with the administration and would have gratefully received any scheme capable of embarrassing Jefferson and Madison, the Secretary of State; but this story was too far-fetched for the wily Spaniard to be taken in by it. He saw at once that England had not encouraged the plan, for in that case, Dayton would not have come to him, as McCaleb says, to play the part of the faithful thief relating a secret which for many reasons he was interested in concealing.⁶⁸

66. (continued from p. 112) Wandell and Minnigerode, Aaron Burr,

II, 33-34.

67. McCaleb, 56-57.

68. Adams, III, 236.

Dayton evidently felt the lack of interest on the minister's part and he returned two weeks later with another plan: "That Burr with his desperadoes would seize the President and other officers of the National Government, together with the public money, arsenals, and ships. If....he could not reconcile the states to the new arrangement...(he) would sail for New Orleans and proclaim the independence of Louisiana."⁶⁹ Fantastic dreams of an uncontrolled imagination! It was absurd, nevertheless it succeeded in deceiving Yrujo who wrote to Cevallos on January 1, 1806, "For one who does not know the country... and above all certain localities this plan would appear insane; but I confess, for my part, that in view of all the circumstances it seems easy of execution."⁷⁰ However, in spite of the interest shown by the Spaniards, their contributions did not exceed two or three thousand dollars, and in the summer of 1806 Burr seems to have abandoned hope from Spanish quarters.

While all this action was in progress in the East, the realization of some plans was afoot in the West. Wilkinson was ordering troops to face the Spaniards in the Sabine River district of Louisiana, and likewise preparing to join them himself. Burr wrote him a letter (July 29, 1806) in cipher which is held to be the key to the whole mystery, but its contents will probably never be known since Wilkinson altered it in many places when he finally revealed it to the public.⁷¹

69. Beveridge, John Marshall, III, 300, footnote.

70. McCaleb, 58.

71. Ibid., 73.

So the exact terms of this document will always be conjectures at the most, "but apparently it contained the most amazing things of the successful maturing of Burr's scheme: 'funds had been obtained;' 'English naval protection had been secured;' 'from five hundred to a thousand men' would be on the move down the Mississippi by the middle of November."⁷² Wilkinson's courage had been weakening and the object of this missive was to renew his vigor. Its effect, however, was quite different, for as we read: "Wilkinson was far too expert in the usages of iniquity to be taken in by such audacious lying as this. He guessed that the enterprise was on the verge of collapse and forthwith made up his mind to abandon it."⁷³

In the midst of all this bustle and stir, where was the Government? Burr visited Washington and received a gracious welcome. The Government asked no questions; how could charges be dared against two superior officers? After the trial, Jefferson wrote: "For myself, even in Burr's most flattering periods of the conspiracy, I never entertained one moment's fear. My long and intimate knowledge of my countrymen satisfied and satisfies me, that let there ever be occasion to display the banners of the law, and the world will see how few and pitiful are those who shall array themselves in opposition."⁷⁴

And in December 1806, he mentions once more this absolute faith
 72. Corwin, Edward S., John Marshall and the Constitution, New Haven, 1920, 88.

73. Ibid., 88.

74. To Dr. James Brown, Ford, IX, October, 1808, 211.

in his countrymen, contrasted with the treacherous schemes of Burr: "The designs of our Cataline are as real as they are romantic, but the parallel he has selected from history for the model of his own course corresponds but by halves -- I am confident he will be completely deserted on the appearance of the proclamation, because his strength was to consist of people who had been persuaded that the government connived at the enterprise."⁷⁵ Besides expressing these same sentiments he also assures Governor Claiborne of his anxiety to see what efforts the Westerners will make in the first instance to defend themselves, and reassures him of his entire confidence in them.⁷⁶

It is said that Jefferson sat still, was too slow to act, that he was prejudging Burr. Criticism is easy and cheap and he only can criticize who has studied the case thoroughly. When Burr was plotting he tried to get foreign aid. This was a source of great anxiety to the country because some of the foreign officers were not too friendly with the United States and naturally this would alarm Jefferson, who at the same time, had a dispute with the British naval office over impressments. Napoleon who had been quiet for about a year showed signs of preparing for another war. In February 1806, Napoleon dismissed Secretary of the Treasury Marbois, a friend of the United States. All this caused a strain on Jefferson. Jefferson could have stopped Burr, Adams says,⁷⁷ by privately informing him and

75. To Caesar A. Rodney, December, 1806, Ford, VIII, 499.
 76. To Governor Claiborne, December, 1806, Ford, VIII, 502.
 77. Adams, III, 215.

his friends that their projects must be dropped; "but Jefferson while closing every other path, left that of conspiracy open to Burr." And so Burr was obliged to continue his deceptions and he became more and more entangled in his web of falsehood.

In April 1806, Burr wrote to Wilkinson telling him that the execution of their project would be postponed to December. Want of water in Ohio rendered movement impracticable and other reasons rendered delay expedient.⁷⁸ Burr began to prepare for his campaign to New Orleans in July, 1806. The money necessary to set the adventurers in motion had been raised by Erick Bollman; "a French officer named DePestre, or Dupiester; Samuel Swartout; ...and finally young Peter P. Ogden, a nephew of Dayton. The time had come when each actor must take his place, and must receive orders as to the role he was to play."⁷⁹ Wilkinson's doubtful conduct now gave Burr cause for anxiety. He had hung back and had made conditions; his letters were few and far between; the letter of May 16 disappeared, it was not even brought to light at the trial. However, the plotters went forward in their work, Ogden and Swartout set out at the end of July and Burr himself followed early in August. His indiscretion at Canonsburg, words against the government, alarmed Colonel Morgan who immediately gave President Jefferson a warning. A few days later Burr arrived at Blennerhassett's Island

78. Wilkinson's Memoirs, II, Appendix LXXXIII.
79. Adams, III, 252.

where he was enthusiastically received and he soon secured the promise of this Irishman's fortune. Blennerhassett was assured that before the end of the year Louisiana would be independent, Burr would be its ruler, under the protection of England.⁸⁰

Burr continued on his journey, ever careless of his speeches about the government, and the disunion scheme seemed to find an increasing number of adherents. Blennerhassett advanced money and Allston gave him a written and sealed guaranty to a certain amount.⁸¹ Deceptions on the part of Wilkinson and Burr were necessarily affecting an ever widening circle. Yrujo was uneasy about the whole affair. He could defend the Spanish interests if Burr attacked them. He found Jefferson's quasi-indifference astounding, and he was not alone in this feeling, for Merry wrote in November: "It is astonishing that the Government here should have remained so long in ignorance of the intended design as even not to know with certainty at this moment the object of the preparations which they have learned they are now making."⁸² What would have been Merry's astonishment if he knew how well informed the President was, and, too, that the President had taken no measure to defend New Orleans!

However, all this encouraged Burr to assert that his military preparations were made by the knowledge of the Govern-

80. Ibid., 256.

81. Blennerhassett Papers, 397-535.

82. Quoted in Adams, III, Merry to C.J. Fox, November 2, 1806, 266.

ment for the probable event of war with Spain. But war with Spain was not the issue now; alarming warnings were given to Burr by Taylor to stay away from Blennerhassett's Island if he valued his life. On October 22, while Burr was still in Lexington, President Jefferson held a Cabinet council; memoranda, written and used by the chief executive at this time, gives us the history of the situation. It recorded how Burr while in Washington during the last session of Congress, spoke confidentially to some persons of his scheme of separating the Atlantic and Western States; of establishing an independent confederacy. Jefferson expressed the opinion to have Burr watched and on his commission of an overt act to have him arrested with any of his followers who participate in the act. Wilkinson's association with Burr was also mentioned, with his infidelities and disobedience in not carrying out orders in June to descend to New Orleans.⁸³

After this Cabinet council, another one soon followed in which the determination to send gunboats, etc., was rescinded and Graham was sent westward with confidential authority to inquire into Burr's movements.⁸⁴ It was not long before Graham was well informed of the state of affairs and he succeeded in causing a law to be passed giving the governor power to use the militia against the conspirators.

Meanwhile, Burr began to build boats as conveyances to

83. Cabinet Memoranda, Ford, I, 318.

84. Ibid., 319.

carry his party down the Ohio and Mississippi Rivers. He made arrangements for the building of his flotilla and the embarkation of his men, and he then left Blennerhassett Island and traveled to Tennessee.

At this time Jefferson issued a proclamation November 27, 1806⁸⁵ concerning the conspirators' scheme of forming a military enterprise against the Spanish dominions and warning good citizens against participating in it. He called for the arrest of the offenders.⁸⁶ In December of 1806, Jefferson explains Burr's plans in a letter to Claiborne, Governor of Louisiana, speaks of the opposition provided at Marietta, Massac and other points, sufficient to stop him. And in case of his escape, he expected Claiborne to collect all his forces, to act in conjunction with Colonel Freeman.⁸⁷ The execution of these orders was so slow that Burr had time to leave Tennessee, pass Fort Massac. When he reached Chickasaw Bluffs, where there was a military post, the commander found it impossible to join Burr so he undertook to raise a company for him. The expedition proceeded to Natchez where it was stopped by the action of General Wilkinson. When Burr reached Natchez, he realised his plan was hopeless. Randall says: "Burr visited his men, now numbering one hundred and thirty, and made a formal address, stating in substance that circumstances over which he had no control compelled him to retire. He advised them to follow

85. Richardson, Messages and Papers of the Presidents, 404.
 86. Channing, The Jeffersonian System, 162.
 87. To Governor Claiborne, December, 1806, Ford, VIII, 501.

suit and not stand on the order of their going, but go at once - anywhere they could get. He then put spurs to his horse and started east, intending to cut across the country to the Atlantic coast and set sail at some port for Europe. He got as far as Wakefield Alabama (February 18) when he was recognized and captured."⁸⁸ He was taken to Richmond, Virginia, and tried for his life on a charge of treason.

Perhaps no trial for treason ever created a greater sensation in any country than this one at Virginia, for nowhere was displayed more ability, learning, ingenuity and eloquence. The important decisions on treason of other countries were applied to the question before the court.⁸⁹ The warrant issued by the chief justice of the United States was grounded on the charge of a high misdemeanor, preparing within the boundaries of the United States a military expedition to be carried on against the Spanish dominions.⁹⁰ Mr. Hay, attorney for the United States moved that the prisoner should be committed to take his trial on two charges, i.e., the first for the same reason as that of the warrant and the second for treason in assembling an armed force, with a design to seize the city of New Orleans, and separate the Western from the Atlantic States.⁹¹

88. E.O. Randall, "Blennerhassett," Ohio Archaeological and Historical Quarterly, A.H. Smythe, Columbus, Ohio, 1888

89. Reports of Trial of Aaron Burr, Preface II, Taken in short-hand by David Robertson, Hodgkins and Earle, 1808.

90. Ibid., I, Monday, March 30, 1807

91. Ibid., 3-4.

Marshall declined to commit Burr for treason without evidence stronger than that of Wilkinson and Eaton, and the prisoner was again free on April 1 under bonds to appear at Richmond on May 22, at the next circuit court. The trial continued on that day and early in its course, Burr moved for a subpoena to be directed to the President, demanding him to produce certain papers as evidence.⁹² Jefferson's answer through Mr. Hay, asserted the necessary right of the President to decide what papers should be withheld, which come to him as President, and which should be submitted to the public.⁹³ In this letter he enclosed another to Mr. Hay, giving as Burr's reason for demanding these papers, that he wished to convert his trial into a contest between the Judiciary and Executive authorities.⁹⁴ He also explained the necessity of the Chief Executive to remain in Washington because his duties to the nation at large required it,⁹⁵ and therefore he could not comply with the summons in Burr's case. And to the same correspondent he says: "If the defendant supposes there are any facts within the knowledge of the heads of departments, or of myself, which can be useful for his defense, from a desire of doing anything our situation will permit in furtherance of justice, we shall be ready to give him the benefit of it, by way of deposition, through any persons whom the court shall authorize to take our testimony at this place (Washington)."⁹⁶

92. *Ibid.*, I, 160, Randolph.

93. To Mr. Hay, June 12, 1807, *Trial*, I, 210. 95. *Ibid.*, Ford IX, 57.

94. To Mr. Hay, June, 1807, Ford, IX, 5-8. 96. *Ibid.*, 1807, 57.

The month before the President said that whether the result before the formal tribunal be fair or false, it was the duty of the authorities to see that full testimony be laid before the Legislature. He asked Mr. Hay to spare no expense in furnishing the testimony of every person who was to be a witness.⁹⁷

Jefferson was accused of having prejudged Burr since he frequently alluded to his guilt, and he seemed certain that he would not be convicted.⁹⁸ "Hitherto," he says, "we have believed our law to be that suspicion on probable grounds was sufficient cause to commit a person for trial, allowing time to collect witnesses till the trial. But the judges have decided that conclusive evidence of guilt must be ready in the moment of arrest, or they will discharge the malefactor. If this is still insisted upon Burr will be discharged because his crimes having been sown from Maine through the whole line of the western waters to New Orleans, we cannot bring the witnesses here under four months."⁹⁹

And indeed this was the case and on the first of September the jury returned a verdict of not guilty. On the ninth of September another jury was empaneled to try him on an indictment for misdemeanor. On the fifteenth of September, the jury pronounced the verdict "not guilty."¹⁰⁰ An avowedly hostile jury pronounced this verdict because he had committed no overt

97. Ibid., May 1807, 52.
 98. To Lafayette, July, 1807, Ford, IX, 113.
 99. To James Bowdoin, April, 1807, Ford, IX, 41.

act.

But we shall never know exactly the trend of his intentions. Blennerhassett said of him: "He tells different stories to different persons enjoining confidence from all, but committing himself in nothing to anyone."¹⁰¹ In spite of the verdict, Jefferson, along with other contemporaries, thought that he was guilty of treason. And the Chief Executive gloried in the fact that the Westerners remained as firm to the union as the East,¹⁰² and that not a single Creole of Louisiana and only one American, who settled there before we received that country, were in his interest.¹⁰³ It was also a proof to him of the innate strength of the government, that the people were capable of self-government and worthy of it.¹⁰⁴

Though Jefferson was confirmed once more in his confidence in the people, the conspiracy did show a mutinous spirit in the army since Burr for the success of his project could have enlisted so easily some of its members. Adams says that the days of Jefferson's power and glory had passed forever. The testimony in his case was far from clear as he had expected. And with this fall came the disappearance from the stage of American History a character that would have been a first magnitude star in the firmament of the history of his native country, for Jefferson said of him: "No man's history proves better the value of honesty. With that, what might he not have been!"¹⁰⁵

100. (continued from p. 123) Trial of Burr, 538-39.

101. Safford, Blennerhassett Papers, 442-43.

102. To Lafayette, May, 1807, Ford, IX, 66

103. To Dupont, July, 1807, Ford IX, p. 113 and Lafayette, 65.
To Governor H.D. Teffin, 21, February, 1807.
104. To Weaver, June, 1807, Wash. Ed., V, 89; and to Lafayette,
July, 1807, Ford IX, 114.
105. Adams, III, 470-71.

CHAPTER V

THE EMBARGO

During his first term of office, Jefferson faced the silver lining of the cloud in his political life; but his second term changed his outlook to the stormy seas where he met with disappointment and failure. Europe was torn by calamitous conflicts and these misfortunes to Europe had been America's good fortune.¹ France and England struggled with short intermissions from 1793 to 1815. During the struggle, France became predominant on the continent while England ruled the seas; each power was supreme in its sphere.²

When war clouds again darkened Europe in the early part of the nineteenth century, and after Napoleon's "one desire to give peace to the world" expressed in the Treaty of Amiens³ proved futile to drive them away, Jefferson decided upon a course of strict neutrality. On October 17, 1803, he said to Congress:

In the course of this conflict, let it be our endeavor as it is our interest and desire, to cultivate the friendship of the belligerent nations by every act of justice and of innocent kindness; to receive their armed vessels with hospitality from the

1. Chinard, Thomas Jefferson, 440.

2. Ed. Channing, Jeffersonian System, 169.

3. Pieces Officielles Relatives aux Preliminaires de Londres au Traite D'Amiens Imprime sur l'Edition de l'imprimerie

Jefferson alludes to this growth of revenue in his Sixth Annual Message to Congress, December 2, 1806.⁷ The surpluses became larger than the installments of public debts, making it possible to repay the creditors. The question arose whether the excess of revenue should be applied to reducing the tariff or to public improvements. Jefferson suggested that customs duties on articles of general use should be repealed, and that the proceeds from the duties on foreign luxuries be devoted to internal utilities.⁸

Roses never grow without thorns, nor was this blooming trade without its pricks. The American government had suffered frequently from wounds inflicted by Great Britain. Jay's Treaty of November 19, 1794 for twelve years measurably protected our commerce, but conditions became infinitely worse toward the end of this time.⁹ France and England went as far as possible towards neutrals in their attempts to prohibit or destroy ocean trade. The British forbade Americans to ship West Indian produce from the Spanish and French islands direct to France and French colonies, but they were permitted to pursue this commerce when brought through some American port, if the foreign goods were landed on a wharf and duty paid.¹⁰ American shipping prospered greatly under these circumstances much to the detriment of English commerce.

8. Hirst, S.W., Life and Letters of Thomas Jefferson, New York, Macmillan Company, 1926, 430-31.

9. Americana, Vol. 10.

10. E. Channing, A Student's History of the U.S., New York, Macmillan Company, 1913, 290.

English shipowners objected forcibly to these favors granted to Americans. English writers showered America with abuses and it was at this time James Stephen wrote his well known pamphlet "War in Disguise." He asserted that neutral trade was not neutral at all, but a fraudulent business, a business in which French or Spanish property carried in their respective ships, was protected by the American flag. The pamphlet, so widely read, soon convinced the English that the American trade was a fraud which would bring ruin to Great Britain, for the Americans were thereby carrying on "War in Disguise" in order to rescue France and Spain from the British navy. Stephen could not understand America's ingratitude to a country to whom she owed so much: "It cannot be supposed," he writes, "that the great body of the American people are at this period partial to France, or inimicably disposed to Great Britain. If they are insensible to the ties of a common extraction, and if the various sympathies of religious language and manners, that ought to incline them favourably to us, have lost their natural influence, they still cannot be regardless of the interesting fact that we alone, of all the nations of the old world, now sustain the sinking cause of civil liberty, to which they are so fondly attached."¹¹ Stephen's policy was widespread and the people appealed to the younger Pitt, then Prime Minister, to put an end to American methods. Stephen

¹¹. James Stephen, War in Disguise, or The Frauds of the Neutral Flags, London, Printed by C. Whittingham, Dean Street, sold by J. Hatchard, Picadilly,

urged the enforcement of the "Rule of War of 1756" which forbade American trade with the West Indies.¹² Now was the time when Americans needed emancipation from foreign influence more seriously than ever.¹³ The results of this enforcement can be readily understood, immediately the British vessels made seizures freely, and as a matter of fact, Great Britain practically began war with the United States. Even in 1804, Jefferson admitted that our vessels in our own harbors were not safe from unfriendly attacks.¹⁴

But America's combat was not with England alone. Napoleon was now supreme on the continent and he could not relish the glory of England on the sea. Neither Great Britain nor France could strike each other by the usual military means, "for the battles of the Nile, Copenhagen and of Trafalgar had been to the British what those of Marengo, Austerlitz and Jena had been to the French."¹⁵ So Napoleon decided to carry on his campaign on the field of economics where he sought to strike British commerce and industry. He planned to prevent the importation of British goods into the Continent, the chief market for British products, depending as he did on its whole-hearted cooperation. The Berlin Decree of November, 1806, proclaimed a state of

blockade against the British Isles and ordered French and allied

12. E. Channing, History, 290.

13. Beveridge, Marshall, IV, 6.

14. Richardson, Fourth Annual Message, November 8, 1804, 369.

15. Hayes, A Political and Cultural History of Modern Europe, New York, Macmillan Company, 1932 c. 1916, I, 670.

ports closed to all ships coming from Great Britain or her colonies. This decree was followed and strengthened by that at Warsaw. The Milan Decree declared the seizure even of neutral ships sailing from any British port, by French warships or privateers. The Fontainebleau was more severe; it ordered the confiscation and burning of all goods manufactured in England, found in the Emperor's territory.¹⁶

England who had successfully attacked the great conqueror's prowess in the battles mentioned above, could scarcely accept these stringent measures without retaliation. She announced wholesale blockades of French ports and ordered the seizure of neutral ships wherever found carrying on trade with an enemy of England,¹⁷ while she forbade them to enter the harbors of European coasts.¹⁸ "An actual blockade of Europe was impossible for her to make; therefore, she resolved to make it a paper blockade,"¹⁹ and decided to enforce it by captures at sea. A series of Orders in Council from May, 1806, to April, 1809, practically closed every port of Europe and the Indies to neutral trade.

America was not considered in these acts of war which ignored every rule and standard. Yet America's commerce was struck at its very roots as if she were the target for their grievances. Between 1803 and 1812, more than 900 American vessels were captured by the British, while more than 500 were captured by the French.²⁰ In spite of these figures some thought

¹⁶, Ibid., 672.
¹⁷, Fox to Monroe, April 8 and May 16, 1806. Harrowby's Circular.

France took the lead in the violation of neutral rights;²¹ and some relied upon Great Britain for the salvation of America.²² This group was principally found among the Federalists who detested the excesses of the French Revolution and who insisted upon the success of England,²³ for they reasoned as Ames did: "Great Britain is fighting our battles and the battles of mankind, and France is combating for the power to enslave and plunder us and all the world."²⁴

On January 17, 1806, Jefferson sent a special message to Congress concerning these seizures, together with the "memorials of several bodies of merchants in the United States."²⁵ In this message, he gives an account of the actions he had taken and submits the matter for its consideration. He had given instructions to the Minister Plenipotentiary of the United States at the Court of London to submit these infractions of our neutral rights, that they may be discontinued. For a time they lessened but the injuries were again renewed and the Minister was again instructed "to bring it more fully to the bar of reason." The committee chosen by the Senate for the matter,

presented a resolution of February 12, 1806, which prohibited
 18. (continued from p.131) The Berlin Decree, November 21, 1806, Harrowby's Circular, American State Papers, Foreign Relations, III, 290-91.

19. Woodrow Wilson, History of the American People, VIII, 189.

20. Forman, Our Republic, 201.

21. An Examination of the Conduct of Great Britain respecting Neutrality, Philadelphia, Printed by B. Graves, No. 40 North Fourth Street, 1807, refers to Letter of Madison to Monroe, Works, VIII, 79.

22. Rutledge to Otis, July 29, 1806, Morrison, Life and Letters of Harrison Gray Otis, I, 282.

the importation of British manufactures until arrangements could be made between Great Britain and the United States on the differences between the two governments.²⁶ These measures were adopted by Congress, in April 1806, and the Non-importation Act forbade the importation after November 15, 1806, of glassware, paper, hats and articles made of leather, silk, hemp, and flax.²⁷

A lively debate followed and the chief opponent of the measure was John Randolph of Virginia who joined the Federalists. He brought forward the lack of union between the planter and the Eastern merchants.²⁸ "If this great agricultural nation," he said, "is to be governed by Salem and Boston, New York and Philadelphia, and Baltimore and Norfolk and Charleston, let gentlemen come out and say so."²⁹ Randolph opposed a naval war but expressed his willingness to enlist in any land battle from the coast to the Mississippi. His opposition to the measures taken by the President were equally stirring and he suggested that the people withhold the power of the President to call forth the resources of the nation to carry on a naval war. "The American people must either withhold this power or resign their liberties."³⁰

23. (continued from p.132) Beveridge, Marshall, IV, 5.

24. Works, Ames to Dwight, October 31, 1803, I, 330.

25. Richardson, Messages and Papers of the Presidents, I, 395.

26. Miller, Great American Debates, 115.

27. Forman, Our Republic, 203.

28. Morse, John T. Jr., Thomas Jefferson, American Statesmen Series, Boston and New York, Houghton Mifflin Co., Riverside Press, Cambridge, c. 1883, 1911, 256.

29. Great American Debates, 117. 30. Ibid., 118.

The Non-Importation Act was not put into effect until December 1807, because Jefferson, clinging to his policy of diplomacy instructed Monroe and Pinckney, to negotiate for a new treaty with England.³¹ Their enterprise proved a failure for the treaty they obtained from England had not its desired success. This was considered by some as a desire of Jefferson to provoke a breach with England.³² It was not a great disappointment to Jefferson who had not much faith in treaties: "On the subject of treaties, our system is to have none with any nation as far as can be avoided. We believe that with nations, as with individuals, dealings may be carried on as advantageously, perhaps more so, while their continuance depends on a voluntary good treatment, as if fixed by a contract which, when it becomes injurious to either, is made by forced constructions to mean what suits them, and becomes a bond of war instead of a bond of peace."³³

On December 19, 1806, the President caused the suspension of the Non-Importation Act, thinking that he might hasten the negotiations of Monroe and Pinckney, but the treaty was already agreed upon when this news reached London.

In the meantime, the attack upon their commerce was not the Americans' chief grievance against European tactics. The commercial warfare was serious enough, but real resentment was created by the impressment of American sailors.³⁴

31. American State Papers, Foreign Relations, III, 142, 173.

32. Morison, S.E., Life and Letters of Harrison Gray Otis, I, 275

33. To Philip Mazzei, Wash. IV, 552, 1804. 34. Forman, 201.

In England, the navy was manned to a great extent by those who were forced into service by this process known as impressment.³⁵ As Great Britain grew in power on the sea, it was necessary to enlarge her enlistment of seamen; and as American commerce took rapid strides toward her apex in trade on the ocean, her ships offered employment to many. These men were often drawn from the number of sailors who deserted English ships because of poor pay, food and treatment. It was easy for these deserters to obtain naturalization papers and thereby become American citizens, much to the distress of England who refused to recognize expatriation.³⁶ The Boston Centinel of September 24, 1808, gives the number of American seamen as 65,000; of these 48,000 belonged to New England and New York.³⁷

The seaboard of the United States was infested by ships of war and privateers both British and French. The French held aloof while the British were in force on the coast, and as soon as the British withdrew, the French reappeared. They were merciless in their seizures, but the British made the most captures because their force was greater and they watched the coast for longer periods.³⁸ Nor was our record immaculate in this matter, for about the year 1803, an English frigate under the command of Captain Cockburn was in the New York harbor, having her decks calked by an American workman. He persuaded eight men to desert the ship and the Commander was about to

35. Channing, Jeffersonian System, 172.
 36. Forman, 201.
 37. Channing, Jeffersonian System, 172.

hang the mechanic but Captain Cockburn was prevailed upon to send him on shore.³⁹ And in the following year, two French frigates were in New York harbor in quest, as some say, of Jerome Bonaparte who was seeking to return to France. Two British ships, the Cambrian and Driver, joined later by the Leander, were anchored close upon the French. Captain Bradley, who held the greatest contempt for the United States and its people, sent a press gang aboard the English vessel, the Pitt, and took eighteen seamen from the vessel's deck. He refused by force to allow the American revenue officers to board the ships until his men finished with their work. Captain Bradley refused to give up the men whom he had taken to the Cambrian.⁴⁰ The revenue officers could only refuse to perform their duties, but in the end they were obliged to give way for the good of all concerned. The Cambrian remained off Sandy-Hook stopping vessels and impressing seamen as she pleased, sometimes she even came into Sandy-Hook when in need of anything.⁴¹ The French frigates escaped through Long Island Sound and the Cambrian with the other British ships left the harbor.

The French had not left without enlisting seamen in the streets. But they were not always so considerate in their dealings for we read of a certain admiral, Willaumez by name, who took four "deserters" from an American ship and then com-

39. (continued from p.135) Ibid., 184-85.
 40. Barclay Correspondence, 153-167.
 41. Jeffersonian System, 186.

plained to the French minister at Washington about the United States government in seducing their seamen.⁴² France seized its alleged subjects wherever it found them regardless of neutral rights, and the naval officers were not particular whether the subjects impressed were American born or not.⁴³ The truth of the matter is all nations seemed to have vied with one another in this nefarious work, even the United States had a small part, but Great Britain seems to have done the most, perhaps because of her large and powerful navy; or because of her great contention that her warships had the right of searching all neutral vessels "for the property and persons of her foes."⁴⁴

The greatest offense to America was that which took place in June 1807. It was one of the great tests of Jefferson's statesmanship. At this time a British squadron was lying between the Capes waiting for the French frigates that sought refuge at Annapolis. Desertions from these British ships were frequent, even the Americans found it difficult to man their ships-of-war. On March 7, a whole boat's crew, the "Halifax," escaped with the boat to Norfolk. The commander of the Halifax was informed that these men had enlisted on the "Chesapeake," an American frigate, under orders for the Mediterranean. His complaints to the British consul and to Captain Decatur were futile. When he met one of the deserters, Jenkin Ratford, on

42. Ibid., 187.

43. Americana, XIV, 728.

44. Roosevelt, The Naval War of 1812, G.P. Putnam's Sons, New

the street in Norfolk and asked the reason for his desertion, the young man replied in abusive language, adding that he was in the land of liberty and could choose as he pleased. The British minister also complained at Washington of three deserters from the "Melampas," who enlisted, he said, on the "Chesapeake." Upon an inquiry ordered by the Secretary of the Navy it was discovered that one of the three men was a negro, and all were native born Americans who had been impressed by the "Melampus." They could not therefore be reclaimed by the British. Jenkin Ratford, an Englishman was another member of the "Chesapeake's" crew, but he remained unnoticed under the name of Wilson.

The British officers in Chesapeake Bay made known their grievances to Admiral George Berkeley, who was in command of the British ships on the North American station. Upon his own authority Admiral Berkeley gave orders to the ships under his command to show these orders to the Captain of the "Chesapeake" upon meeting her at sea. These commands were given to search the American ship for deserters from the British ships under Berkeley's command. If the Captain of the Chesapeake made similar demands, he was to be permitted to do so, according to the customs of civilized nations.

The "Leopard" was the admiral's flagship, commanded by Captain Humphreys. It arrived at Lynnhaven, June 21, and Captain Humphreys announced his arrival to Captain Erskine 44. (continued from p.137) York and London. Knickerbocker Press.

Douglas of the "Bellona," then lying with the "Melampus" in the Bay. The "Leopard" remained the whole day with the "Bellona" in the Bay, and set sail the next morning, June 22 at 4:00 A.M. It anchored a few miles to the eastward.

The story of the "Chesapeake" again shows the slowness of the Government to act, for it was long past the time when it was to replace the "Constitution" in the Mediterranean. The crew on this ship was entitled to their discharge, but the "Chesapeake" was still in the hands of the mechanic until May first. Captain James Barron was named as commodore of the Mediterranean squadron and Captain Charles Gordon was appointed the ship's captain on February twenty-second. This delay was the cause of many complaints from him because of the incompetency of the navy-yards. The people seemed to have accepted these conditions as an effect of the system, that required time, rather than force, to carry out its designs. Some of the delay was attributed to the President who was not fond of sea life and therefore not interested enough in all that concerned the equipment of his navy.⁴⁵

Finally after all preparations were made and the ship was fitted out for a three years' cruise, the "Chesapeake" set sail on June 22. Much sickness prevailed among the crew and these men were allowed to lie in the sun on the upper deck. The gun-deck also was covered with lumber but the ship was
45. Adams, History, BOOK IV, Chapter I, 1-6.

found to be in a fair condition, bound for the Mediterranean. Just in view of Cape Henry the "Leopard," of the British squadron, hauled up the "Chesapeake" and Commodore Barron was summoned to deliver some British deserters supposed to be on board. Barron refused and the Leopard opened fire on the American ship which was like a helpless invalid, unprepared and unready so that only one shot could be fired in answer.⁴⁶ The American flag was hauled down and the British entered the ship and took four deserters. One of the four was hung and three were scourged.⁴⁷ When the British finished their work, Captain Humphreys told Commodore Barron he could proceed on his way. The Chesapeake returned to port, and three days later Jefferson called a cabinet meeting to consider the emergency.

Jefferson never committed himself either verbally or in writing as to how far his indignation carried him in this matter; but he preferred to consult the Cabinet, to discover what constitutional powers could be exercised. It is scarcely necessary to say that he still cherished his policy of "forbearance and watchful waiting." His reason for moderation at this time was to give England an opportunity of making reparation and thus avoid war. It would also give time to our merchants and seamen to bring in their property and vessels

46. Chinard, Jefferson, 451.

47. Roosevelt, Naval War of 1812, 52.

then floating on the high seas.⁴⁸ In August a proclamation was issued convening Congress for the fourth Monday in October. It is believed that reparation for the Chesapeake would have been easy to obtain but the security for the future which Jefferson asked Monroe to obtain was not so easily granted; for Canning refused to alter the policy of his country, to visit ships or to impress seamen. Henry Adams is an outstanding critic in this case, because he considers it a lack of firmness on Jefferson's part not to have settled the case independently.⁴⁹ But if Jefferson erred on this point, Great Britain showed herself more stupid, for she missed the chance of reconciliation with America and of a union of force against France with whom she was most concerned at this time. Her answer was given on November 11, 1807, when she issued her Orders in Council, in which American vessels were not allowed to enter any port of Europe that was closed to British vessels without first going to England and abiding by the regulations.⁵⁰

As in all other crises, Jefferson's first outlook was always toward peace rather than toward war, and the present case was no exception. His correspondence during the summer and fall of that year bears witness to this fact,⁵¹ and his

48. To George Clinton, Ford, July 6, 1807.

49. Adams, History, IV, 33-34.

50. Chinard, 453.

51. Letters to Cabell, August 11, 1807 and to Dearborn, August 28, 1807.

ideal was peace but he had little hope that Monroe would succeed in his negotiations. Besides Jefferson had to take into consideration at least "twenty thousand men" who were on the seas, and who would be taken at once by the British if war were declared.

Circumstances of the ensuing months did not foreshadow peace, but rather the contrary forecast, so that on December 18, 1807, Jefferson in a short message speaking of this crisis said: "I deem it my duty to recommend the subject to the consideration of Congress, who will doubtless perceive all the advantages which may be expected from an inhibition of the departure of our vessels from the ports of the United States." A truer conception of the situation may be gathered from a letter in which Jefferson speaks of the restrictions made on our commerce by France through its prohibitions; and of those of Great Britain forbidding us trade with practically the whole of Europe. And our vessels, cargoes and crews were at the mercy of these two nations. Jefferson thought better to keep all at home.⁵² Congress, likewise, had similar opinions for they approved of the temporary embargo passed by Congress on December twenty-first, prohibiting all commerce between the United States and foreign ports.⁵³ But the effects of this measure werenot evident enough to prolong this spirit among the people for after a few months, opposition began to assert

52. To George J. Mason, Ford, V, 217.

53. Acts of Congress, 1807-09, 10th Congress, 1st Session, December 22, 1807, Chapter V, 7-8.

itself.

Jefferson had hoped the embargo would cripple the trade of England and that the merchants and laborers would appeal to Parliament to withhold the grievances inflicted on Americans. It did inflict a loss on the manufacturing industries, but it increased the profits of British ship-owners, in their monopoly of sea-trade, and of land-owners who could increase the price of grain. The British navy was also augmented because many American sailors could no longer find employment at home.⁵⁴

And as for the effects on American trade, the embargo was disastrous. The exports fell from \$110,084,207 in 1807 to \$22,430,960 in 1808. The farmers had never before realized that commerce meant part of their daily bread, and that they raised and sold much of that \$87,000,000. The farmers held tenaciously however, to the idea of the anti-war recipe. Napoleon was happy to see his enemy gradually drifting into war with a western power and England was glad to regain her carrying trade and see her northern American colonies receive American capital. New England fought it as if it were a struggle for life; did all she could to evade it by sea and sent armies of smugglers to Canada.⁵⁵ Congress later extended the act to rivers, lakes and bays and permitted the collectors to seize even on suspicion. On January 9, 1809, Congress passed a bill enforcing the Act with the strictest fines,
 54. Forman, Our Republic, 204.
 55. Americana, Vol. X

forfeitures and bonds. Mr. Livermore in his speech before the House of Representatives opposed the enforcing because he thought it against the desires of the people to give Congress the power to forbid commerce altogether or regulate commerce with foreign nations.⁵⁶ New England was nearly in insurrection and the collectors were in great danger. Mr. Gills objected to this new enforcement because the required bonds were too excessive; because the collectors might be influenced by party spirit in the exercise of their duties; or finally because the high penalties of the bonds would drive many persons of moderate or small means from their accustomed occupations. He also objected to the seventh section which provided that stress of weather, and other unavoidable accidents at sea, could not be given in evidence in a trial at law.⁵⁷ Mr. Quincy's speech was typical of all those who fought the embargo: "The decrees of France prohibit us from trading with Great Britain. The orders of Great Britain prohibit us from trading with France. And what do we?....we abandon trade all together."⁵⁸ Speeches of similar type were widespread throughout New England, but the best known perhaps was Randolph's in which he spares Jefferson nothing, intimating the absolute power enjoyed by the Chief Executive, that we gave the President money to buy Florida and he purchased Louisiana - we furnished the means and the application rested with him.⁵⁹ This was not the sole concern of the

56. Mr. Livermore's Speech

57. Mr. Giles Speech and The New Embargo Law, Adams Rhoades and Co. Printers, 1808.

of the New Englands; they dreaded the reputed Gallicanism of Jefferson. If an honest neutrality were hopeless and war inevitable, New England would have favored her chief customer, Great Britain, rather than France. They looked upon the embargo as an insult to the intelligence and virtue of New England. New Englanders did not influence the middle States with regard to the Embargo for they kept their usual median attitude, a sympathy with both Northern and Southern brethren.⁶⁰

Colonel Pickering's letter to Governor Sullivan created the greatest sensation after being printed in pamphlet form by Mr. Cabot. Cabot believed England our best bulward against France, nor did he wish to appear in sympathy with Great Britain; his sole sympathies were always for the independence, honor and welfare of his country.⁶¹ Adams in a letter to Otis says that Pickering ignored the British Orders of Council, orders which would not have left a particle of American canvas upon the ocean if we submitted to them but under British taxation.⁶²

In concluding this letter Adams says: "I am not sensible of any necessity for the extraordinary interference of the commercial states, to control the general councils of the nation. If any interference could, at this critical extremity

58. (continued from p.144) Mr. Quincy's Speech, 7.

59. Randolph's Speech, p. 30. New York, Printed, London re-printed for J. Butterworth Select Street and J. Hatchard, Piccadilly, 1806.

60. Sears, L.M., Jefferson and the Embargo, Duke University Press, Durham, North Carolina, c. 1927, 197.

61. Lodge, Life of George Cabot, 367-68.

62. Adams' Letter to Otis, A letter to Mr. Harrison Gray Otis, Sen. of Mass. Remarks upon Mr. T. Pickering's Letter to

extremity of our affairs have a kindly effect upon our common welfare, it would be interference to pronounce union and not a division ... to urge mutual confidence, and not universal distrust ... to strengthen the arm, and not to relax the sinews of the nation. Our suffering and our dangers, though differing perhaps in degree, are universal in extent. As their causes are justly chargeable so their removal is dependent not upon ourselves, but upon others."⁶³

Finally the states threatened nullification and John Quincy Adams, a strong supporter of the Embargo, declared that they had resolved to withdraw from the Union, and had negotiated with Great Britain. The Democrats were alarmed and on February 3, 1809, March fourth was set for the discontinuance.⁶⁴ But the next month they passed a "non-Intercourse Act" to take its place, prohibiting intercourse with France or Great Britain, but restoring it with other countries.⁶⁵

Generally speaking the Embargo was a great political and economic mistake, for the nation, and for Jefferson, perhaps it was the greatest disappointment of all his political measures. He himself said it was the most embarrassing law they ever had to execute, for through it an unexpected growth of fraud and open opposition to law grew up in the United States.⁶⁶ And on

the other hand it federalized three of the New England States;⁶⁷

62. (continued from p.145) Governor of Commonwealth, Published by William Duane, No. 106 High Street, Philadelphia, 1808.p.7

63. Ibid., 24.

64. Acts, 1809-1811, Tenth Congress, 13.

65. Jennings, Walter Wilson, The American Embargo, 1807-1809

while at the same time it exerted an extreme pressure upon British industry.⁶⁸ Jefferson never considered the Embargo as a lasting cure, in fact he would have preferred war to the continuance of the Embargo if peace did not take place in Europe and if France and England did not consent to withdraw their decrees and orders from the United States.⁶⁹ However, opposition to the Embargo was almost as strong as the decrees and orders of Europe, it brought upon Jefferson that loss of popularity for which he craved. Sears describes the President in the following lines: "The personal experience of Jefferson in enforcing his favorite legislation is an ever memorable object lesson in the tribulation of those who would lead mankind along untrodden paths. The patriotism and self-denial of men who shared the President's vision, and the disloyalty and selfishness of men who failed to see the possibilities of economic pressure as a substitute for war, form an interesting background against which the harassed Jefferson appears at his unhappiest, yet at his best."⁷⁰ He himself best describes his feelings in his letter to Dupont in Paris: "Never did a

prisoner, released from his chains, feel such relief as I shall

65. (continued from p. 146) University of Iowa Studies in Social Sciences, Published by the University, Iowa City, 1921, Vol. VIII, Number I, 160.

66. To Albert Gallatin, August, 1808, Wash. Ed., V, 336.

67. To William Short, March, 1809, Ford, IX,

68. Sears, Jefferson and the Embargo.

69. To Levi Lincoln, March 30, 1808, Wash. V, 265.

70. Sears, 318-19.

on shaking off the shackles of power."⁷¹

71. Quoted in Smucker, Life and Times of Thomas Jefferson, Philadelphia, J.W. Bradley, 48 North Fourth Street, 1857, 291.

Conclusion

Jefferson's first term was a great success due not so much to what he had done as to what he seemed to have done. There were no fundamental changes in his system of administering the rational affairs, yet a different atmosphere prevailed at the capital. It was in the external aspect rather than in the inner constitution of the government. The work of the Federal party had not been undone for there was very little real democracy under the sway of the Democrats than there had been under the Federalists. The Democrat Jefferson enjoyed and exercised a personal authority far, far greater than that wielded by the monocrat Adams. Since Washington, no president dictated to Congress as Jefferson could do and did, and no president led the people to such unquestioning obedience. We need but to cite the Louisiana Purchase when he procured from Congress more power than any potentate of Europe was able to exercise. And later, in the passage of the Embargo, "On his mere recommendation, without warning, discussion, or publicity, and in silence as to his true reasons and motives, he succeeded in fixing upon the country, beyond recall, the experiment of peaceable coercion." This triumph was a marvel, but all saw in it great risks. His effort to strike both England and France

rebounded on him.

In his second term, Jefferson began to lose confidence in France and he leaned more to England, because he believed England the chief obstacle to Napoleon's militarism. Jefferson alone understood that by growth in popular wealth and industry a nation gains its highest degree of substantial power and authority, and he looked to England to bring about a great part of this growth in American trade.

Jefferson looked upon agriculture as the mainstay of the union. From the earliest days the majority of the nation were tillers of the soil even though farming was carried on by crude implements of domestic production. The methods of harvesting the crops were as primitive as in the days of ancient Greece or Rome. Yet agriculture was our leading interest, its products furnished a large part of our commerce, "agriculture's handmaid." It was the very foundation of our growth as a nation, of our traffic on the seas. The pursuits of the agriculturalists influenced to a great extent Jefferson's idea of democracy. He looked upon the tiller of the soil as equally capable of choosing the Chief Executive of the nation as any professional man. And it was not an uncommon characteristic that great race from Virginia, to fully appreciate all the products of the soil. Washington and Marshall, for instance to mention two outstanding men. Finally, it was above all for the farmers that Jefferson advocated justice to all nations so

that in peace they could follow the pursuits of their industry without the horrors and fears that war brings to cripple and paralyze the best that is in man.

Jefferson was a great statesman amid political storms, but he was utterly helpless when war clouds gathered. He said in 1808 if we went to war we might never see the end of the national debt, if we could keep peace for eight years longer, we could meet any war. He knew his policy failed, yet he could not abandon it; he seemed bitterly disappointed and a little frightened, pained to see his party defeated, but his chief anxiety was becoming personal, centering in the desire to escape from the embarrassing position. He thought it right to take no part in proposing a measure which would have to be carried out by his successor. During his last months, he presented a pitiable spectacle of a ruler helplessly confounded by miscarriage of his policy. But probably three-fourths of the nation still believed him the greatest, wisest, most virtuous of living statesmen. He retired with a reputation and popularity hardly inferior to that of Washington. No personal influence of a civilian not nourished in any degree by successful war, has ever been so great and lasting over our people. His success was staked upon the steadfast convictions of intrinsically right principles, that is, equal and exact justice to all men; peace, commerce, and honest friendship with all nations, entangling alliances with none; the preservation of

the General Government; absolute acquiescence in the decisions of the majority; economy in public expense; the honest payment of debts; encouragement of agriculture and commerce; and finally, freedom of religion, of the press, and of person.

With these, Jefferson met every circumstance of his life and through them, he bound the States, he governed into a closer union whose strength today is unparalleled.

BIBLIOGRAPHICAL ESSAY

Chapter I

Throughout this thesis, the Writings of Thomas Jefferson, Ford Edition, and in some cases the Washington Edition, were used primarily to discover Jefferson's opinions on all these subjects. They were particularly enlightening, too, in giving a graphic picture of the country at this time, while they expressed his innermost thoughts. Man usually expressed himself freely in letters, giving his true and honest opinion and as letter-writing was the common form of communication during this period, these writings furnished a mine of material.

The American State Papers, Acts of Congress, and the History of the United States by H. Adams, were also used freely in this thesis, giving as they do, the facts as they happened, and according to witnesses.

Jefferson, the Apostle of Americanism, by Gilbert Chinard, shows the extent of the influence of the French "Doctrinaires" on Jefferson's political theories. Lisitzky's Thomas Jefferson is a vivid re-creating of the statesman and the world he lived in. In "Our Republic" by S.E. Forman, every citizen is taken into consideration, and in the period the paper treats of, there is a pro-Jefferson tone. The Life of John Marshall by

Albert J. Beveridge has also been used throughout the thesis, treating both sides of the questions with the leniency always to Marshall's viewpoint. Old Post Roads, by Jenkins, also gave an idea of the country at the period just previous to the Jeffersonian Era. Most of the works consulted referred the reader to Adams' History; this was, therefore, the most reliable source.

Messages and Papers of the Presidents, edited by Richardson, proved valuable, containing the Inaugural Addresses and Messages to Congress, and giving the speaker's opinions on the subjects considered.

A full explanation of parties and the processes of government were found in American Government and Politics by Charles Beard, and James Bryce' The American Commonwealth. Bassett shows the political influence on governmental activities in his Short History of the United States, and again he gives the policies of Hamilton and Jefferson with the influences which created diversity of opinion among the people in The Federalist System. Hockett's Political and Social History of the United States follows practically the same plan. Woodrow Wilson's History of the American People paints Washington above party influence. Henry Jones Ford, in The Rise and Growth of American Politics gives the origin of parties in the United States and their place in our government.

Chapter II

Besides the principal sources mentioned above, Shailer Mathews' French Revolution 1789-1815 gives the background for the subject of this chapter, along with Hayes' Political and Cultural History of Modern Europe, which lays too much stress on the importance of some of the chief characters of the Revolution, and Kaufman's Modern Europe. Napoleon and America by E.L. Andrews had two splendid chapters on Napoleon's early life. The Life of Napoleon I by Rose was based on sources from the British archives.

Old South Leaflets, the Cession of Louisiana, showing Jefferson's long cherished desire accomplished, with Marbois' Histoire, gave detailed accounts of the history of this section of the country. The Treaties, Convention, International Acts embellished the accounts of the above history.

Chapter III

Correspondence between Jefferson and Pierre du Pont de Nemours, edited by Dumas Malone, shows more of the Frenchman's impressions and opinions than those of Jefferson. Great American Debates (Louisiana) edited by Marion Mills Miller, gives the public opinion of the Purchase through the agency of its senators and representatives. The greater part of this chapter is based on Jefferson's correspondence which shows more

than anywhere else his great leniency in order to keep his pacific policy intact. Gallatin's Works are quoted for the opposite views to Jefferson's.

Chapter IV

The best sources on the Burr Conspiracy are the State Papers and The Burr Trials, taken in shorthand by Robertson; for the best account of the proceedings, however, Walter McCaleb's The Aaron Burr Conspiracy, and Henry Adams' History of the United States of America, Vol. III, gives sources of information concerning the whole plot. These last two authors base their work on the writings from French, Spanish and British archives, and McCaleb also uses those from the archives of Louisiana, Mexico and Texas. McCaleb contends that Burr's end was the conquest of Mexico, and Adams', the overthrow of American democracy in Louisiana.

The Blennerhassett Papers, written by William Safford, are a great source material from the viewpoint of one of Burr's associates; letters of Blennerhassett and his private journal reveal his side of the story. Hamilton's Works, edited by Lodge, gave this statesman's appreciation of the conspirator. The Life and Times of Aaron Burr, by James Partin, written in 1857, and Aaron Burr, by Samuel Wandell and Meade Minnigerode, are based on original material, and the latter is written in an especially interesting style. The Memoirs of Aaron Burr,

edited by a supposed friend, have been discredited, and are, therefore, of no value. Alexander Hamilton by Robert Warshow gives an unbiased appreciation of the financier and contains excellent chapters on Burr. Very concise and clear narratives of the facts are found in the Jeffersonian System, by Edward Channing, and Jefferson and His Colleagues, by Allen Johnson. The bibliographical essay in the former gave good leads to other material, i.e., to Works of Hamilton, Life of Harrison Gray Otis, and others.

The Life of John Marshall, by Albert J. Beveridge is a classic work of this period. John Marshall in Diplomacy and Law by Lord Craigmyle also upholds Marshall's ruling, while John Marshall and the Constitution, by Edward Corwin, and Nullification and Secession in the United States, by Edward Powell, are pro-Jefferson.

Besides the many opinions found in the proceedings in Congress in the Annals, the Correspondence of John Adams, and of James Madison present many contemporary decisions. Wilkin-son's Memoirs and the Writings of Jefferson, especially the Annals with all his Messages to Congress have in this chapter as in all the others furnished a wealth of material.

For the general background of this chapter, the following books were consulted: The Political and Social History of the U.S., by Homer C. Hockett, Short History of the United States, Bassett. For points connected with the expedition, the Life of

Andrew Jackson by James Parton was also used.

Chapter V

The Embargo and Our International Relations are given almost exclusive attention in Adams, Books III and IV of the Boni Edition. Besides the Writings of Jefferson, Madison and Gallatin, Foreign Relations, American State Papers furnish valuable material.

Contemporary pamphlets of the period were: War in Disguise or the Frauds of the Neutral Flags by James Stephen (1805) - British viewpoint; An Examination of the British Doctrine which Subjects to Capture a Neutral Trade not open in Time of Peace (1806), James Madison; An Inquiry into the Causes and Consequences of the Orders in Council and an Examination of the Conduct of Great Britain towards the Neutral Commerce of America (1808). Gallatin's Report, December 19, 1810, on the effects of commercial restrictions is a study on this subject. The Speeches of Randolph, Giles, Livermore, Lloyd, give the pros and cons of the question.

The first chapter of Theodore Roosevelt's Naval War of 1812 points out the Embargo as leading up this war for the supremacy of the seas. The American Embargo by Walter Jennings is a scholarly study of this law, giving in detailed statistics the true effects of the restrictions. Jefferson and the Embargo by Sears, attempts to treat the subject in an unbiased tone,

but he ends with enthusiastic applause for Jefferson, not, however, without giving just consideration to the effects of the Embargo.

BIBLIOGRAPHY

- Adams, Henry, History of the United States of America, Books I, II, III, IV, Albert and Charles Boni, New York, c. 1890 by Charles Scribner's Sons, 1930.
- Adams, James Truslow, The Epic of America, Boston: Little, Brown and Company, 1931.
- Adams, James Truslow, Jeffersonian Principles and Hamiltonian Principles, Boston: Little, Brown and Company, 1928.
- Adams, John Quincy, Letter to Mr. Harrison Gray Otis, Published by William Duane, No. 106 High Street, Philadelphia., 1808.
- American State Papers and Documents, Legislative and Executive of the Congress of the United States Commencing March 3, 1789, and ending March 3, 1815. Selected and edited under the Authority of the U.S. Congress, by Walter Lowrie, Secretary of State, and Matthew St. Clair Clark, Clerk of House of Representatives, Washington. Published by Gates and Seaton - Foreign Relations, Vol.III, Finance II, 1832.
- Americana, Encyclopedia, Vols. II, X, and XVII. Americana Corporation, New York and Chicago, 1932.
- Ames, Fisher, Works of Fisher Ames, Compiled by a number of his friends, Boston: Printed and published by T.B. Wait and Company, 1809.
- Andrews, Edward L., Napoleon and America, New York: Mitchell and Kennerley, 2 East 29th Street, 1909.
- Babcock, Kendric C., The Rise of American Nationality, 1811-1819, New York and London: Harper and Brothers, 1906.
- Bassett, John Spencer, The American Nation, a History, "The Federalist System," New York and London: Harper and Brothers, 1906.

- Beveridge, Albert J., Life of John Marshall, 4 vols. Boston: Houghton Mifflin Company, Riverside Press, Cambridge, 1916.
- Bassett, Life of Andrew Jackson, New York: Macmillan Company, 1910.
- Bassett, Short History of the United States, Vol. II
- Channing, Edward, The Jeffersonian System, 1801-1811, Vol. XII, New York and London: Harper and Brothers, 1906.
- Channing, Edward, A Student's History of the United States, New York: The Macmillan Company, 1913, c. 1897.
- Chinard, Gilbert, Thomas Jefferson, the Apostle of Americanism, Boston: Little, Brown and Company, 1929.
- Corwin, Edward S., John Marshall and the Constitution, Yale University Press, New Haven, 1920.
- Craigmyle, Lord, John Marshall in Diplomacy and in Law, Charles Scribner's Sons, New York and London, 1933.
- Davis, Matthew L., Ed., Private Journal of Aaron Burr, Harper and Brothers, 1838.
- Directors of Old South Work, Publishers, Old South Leaflets, No. 128, Vol. VI, The Cession of Louisiana, pp. 126-50, and Treaty with France for the Cession of Louisiana, Boston, 1905.
- Documents: Burr - Blennerhassett, Quarterly Publication of the Historical and Philosophical Society of Ohio, Vol. IX, Nos. 1 and 2, January and April, Lesley Henshaw, Editor, Cincinnati, Ohio: Press of Jennings and Graham, 1914.
- Documents: The Disclosure, No. 1, Relating to Violations and Evasions of the Laws during the Commercial Restrictions and Late War with Great Britain, Part First, Bath: J.G. Torrey, pr., 1824.

- Fiske, John, The Critical Period of American History, 1783-1789, Boston and New York: Houghton, Mifflin and Company, The Riverside Press, Cambridge, 1888.
- Foley, John P., Ed., Jeffersonian Cyclopedia, New York and London, Funk and Wagnall's, 1900.
- Ford, Paul Leicester, Writings of Thomas Jefferson, Vol. I, IV, V, VI, VII, VIII, IX, X. New York: G.P. Putnam's Sons, 27 west 23rd Street; London, 24 Bedford Street, Strand; The Knickerbocker Press, 1899.
- Ford, Henry Jones, The Rise and Growth of American Politics, 1851-1925, Macmillan Company, 1898.
- Forman, S. E., Our Republic, A Brief History of the American People, New York, The Century Company, 1923.
- Frost, John, The Presidents of the United States from Washington to Pierce, Boston: Crosby, Nichols Lee and Company, 1860.
- Gallatin, Albert, Writings of Albert Gallatin, Edited by Henry Adams, Philadelphia: J.B. Lippincott and Company; London: 16 Southampton Street, Covent Garden, 1879.
- Graves, B., Printer, An Examination of the Conduct of Great Britain Respecting Neutrals, Philadeophia, No. 40 North 4th Street, 1807.
- Hall, Thomas, Memoirs of the Hon. Thomas Jefferson, 2 vols. Printed for the Purchasers, 1809.
- Hamilton, James A., Reminiscences of, or Men and Events at Home and Abroad, New York: Charles Scribner and Company, 654 Broadway, Vol. I, 1869.
- Hamilton, Alexander, Works, Edited by Henry Cabot Lodge, New York and London; G.P. Putnam's Sons, The Knickerbocker Press, 1886.
- Hamilton, Alexander, American Budget, 1794, Report to Congress, London: printed for Debutt, opposite Burlington House, Piccadilly, 1794.
- Harrowby, Harrowby's Circular, American State Papers, Foreign Relations, III.

- Hayes, A Political and Cultural History of Modern Europe, New York: Macmillan Company, c. 1916, Vol. I, 1932.
- Hermann, Binger, Commissioner of the General Land Office, The Louisiana Purchase, and Our Title West of the Rocky Mountains, Washington: Government Printing Office, 1898.
- Hirst, Francis W., Life and Letters of Thomas Jefferson, New York: The Macmillan Company, 1926.
- Jefferson, Thomas, Notes on the State of Virginia, Second American Edition, Philadelphia: Printed for Matthew Carey, No. 118, Market Street, 1794.
- Jenkins, Stephen, Old Boston Post Roads, New York and London: G.P. Putnam's Sons, Knickerbocker Press, 1913.
- Jennings, Walter Wilson, The American Embargo, 1807-1809, University of Iowa, Studies in Social Sciences Vol. VIII, No. 1, published by the University, Iowa City, 1921.
- Johnson, Allen, Jefferson and His Colleagues, New Haven: Yale University Press, 1921.
- King, Rufus, Life and Correspondence of Rufus King, 3 vols. New York: G.P. Putnam's Sons, The Knickerbocker Press, 1894.
- Laws of the United States of America, published by Authority, Washington City: printed by Samuel Harrison Smith, New Jersey Avenue near the Capitol, Vol. V, 1801.
- Laws Vols., VI, 1801-1803; VII, 1803-1805; VIII, 1805-1807; IX, 1807-1809.
- Lisitzky, Gene, Thomas Jefferson, New York: The Viking Press, Inc., 18 E. 48th Street, 1933.
- Lodge, Henry Cabot, Life and Letters of George Cabot; Boston: Little, Brown and Company, 2nd Edition, 1878.
- Madison, James, Writings of James Madison, edited by Gaillard Hunt, Vols., VII, VIII; 1803-1807, London: G.P. Putnam's Sons, 24 Bedford Street, Strand; New York: 27 West 23rd Street, 1908.

- Magruder, Allan B., John Marshall, American Statesmen Series, New York: Houghton, Mifflin and Company, The Riverside Press, Cambridge, 1885.
- Malloy, William M., Compiler, Treaties, Conventions, International Acts, Protocols and Agreements between the United States of America and Other Powers, 1776-1909. Under Resolution of the Senate of Jan. 18, 1909, (Res. #252, Sixtieth Congress, Second Session) Vol. I, Washington Printing Office, 1910.
- Malone, Dumas, Editor, Correspondence between Thomas Jefferson and Pierre Samuel Du Pont de Nemours, translated by Linwood Lehman. Boston and New York: Houghton, Mifflin and Co., Riverside Press, Cambridge, 1930.
- Marbois, Barbe M., Histoire de la Louisiane, et la Cession de Cette Colonie Par la France aux Etats-Unis, Paris, Imprimerie de Firmin Didot, Imprimeur du Roi, Rue Jacob, Ne 24, 1829.
- Mathews, Shailer, The French Revolution, 1789-1815, New York: LongmansGreen and Company, 55 Fifth Avenue, 1927.
- McCaleb, W.F., The Aaron Burr Conspiracy, New York: Dodd Meade and Company, 1903.
- Miller, Marion Mills, Ed., Great American Debates, New York: Current Literature Publishing Company, c. 1913.
- Morison, Samuel Eliot, Life and Letters of Harrison Gray Otis, 3 vols., Boston and New York: Houghton, Mifflin Company, The Riverside Press, Cambridge, 1913.
- Morse, John T. Jr., Thomas Jefferson, Boston and New York: Houghton, Mifflin and Company, The Riverside Press, Cambridge, c. 1883.
- Parton, James, Life and Times of Aaron Burr, New York: Mason Bros., 108-110 Duane Street, London: Sampson Low, Son and Company, 1858.

- Pratt, Fletcher, The Heroic Years, Fourteen Years of the Republic, 1801-1815, New York: Harrison Smith and Robert Haas, 1934.
- Pieces Officielles, Relatives aux Preliminaires de Londres et au Traite d'Amiens, Imprime sur l'edition de l'imprimerie de la République a Paris, chez Garnery, Libraire, rue de Seine, 1803.
- Powell, Edward Payson, Nullification and Secession in the United States, G.P. Putnam's Sons, New York, 1897.
- Reports, of the Trials of Colonel Aaron Burr for Treason and for a Misdemeanor; An Appendix contains the Arguments and Evidence in support and defense of the Motion afterwards made by the Counsel for the U.S. to commit Aaron Burr, H. Blennerhassett and I. Smith to be sent for Trial to the State of Kentucky for Treason or Misdemeanor - Taken in shorthand by David Robertson, 2 vols. Philadelphia, published by Hodgkins and Earle, 1808.
- Randall, E.O. Blennerhassett, Ohio Archaeological and Historical Quarterly, Vol. I, June, 1887, March, 1888, Columbus: Published for the Society by A.H. Smythe, 41 S. High Street, 1888.
- Roosevelt, Theodore,
- Rose, John Holland, The Life of Napoleon I, 2 vols. New York: The Macmillan Company, 1910.
- Safford, William H., The Blennerhassett Papers, embodying the private journal of Harman Blennerhassett, Cincinnati: Moore, Wilstach and Baldwin, 1864.
- Sears, Louis Martin, Jefferson and the Embargo, Durham, N.C., Duke University Press, c. 1927.
- Smucker, Samuel M., Life and Times of Thomas Jefferson, Philadelphia: J.W. Bradley, 48 North 4th Street, 1857.

Speeches

Hon. J. Randolph on a Motion for the Non-Importation of British Merchandize, pending the Present Disputes between Great Britain and America, New York: Re-printed in London for J. Butterworth, Fleet Street, and H. Hatchard, Piccadilly, 1806.

Letter to Hon. John Quincy Adams, by Alfred, printed in America, 1808.

The New Embargo Law and Hon. Mr. Giles' Speech on the same, Adams, Rhoades and Co., Printers.

Taussig, F.W. State Papers and Speeches on the Tariff, published by Harvard University, Cambridge, Mass., 1892.

Stephen, James, "War in Disguise," or "The Frauds of the Neutral Flags. London: C. Whittingham, Dean Street, sold by J. Hatchard, Piccadilly, 1805.

Richardson, James D., Messages and Papers of the Presidents, 1789-1902, published by authority of Congress, 1902.

Wilkinson, General James, Memoirs of My Own Times, 3 vols. Philadelphia: Abraham Small, 1816.

Wandell, S.H., and Minnigerode, Meade, Aaron Burr, 2 vols. New York and London: G.P. Putnam's Sons, Knickerbocker Press, c.1924

Warshow, Robert Irving, Alexander Hamilton, New York, Greenburg, Publisher, c. 1931.

True Republican, Jefferson against Madison's War, 1812.

Wilson, Woodrow, History of the American People, Vols. II, III. New York and London: Harper and Brothers, c.1901

Washington, H.A., Ed., Writings of Thomas Jefferson, vols. I, IV, VI, VII, VIII, published by Taylor D. Maury, Washington, D.C., 1854.

The thesis, "The Influence of Jefferson's Domestic Policy on his Foreign Policy," written by Mother Marion Dorsey, R.S.C.J., has been accepted by the Graduate School of Loyola University with reference to form, and by the readers whose names appear below, with reference to content. It is, therefore, accepted as a partial fulfilment of the requirements for the degree of Master of Arts in Loyola University.

Paul Kiniery, Ph.D.

May 2, 1935

Rev. Joseph J. Roubik, S.J.

April 17, 1935